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THE

MISCELLANY

OF

THE SPALDING CLUB.

VOLUME FIFTH.

ABERDEEN:

PRINTED FOR THE CLUB.

M DCCC LII.

The Spalding Club.

DECEMBER. M.DCCC.LII.

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THE EDITOR'S PREFACE.

In the year 1591, Mr. Thomas Mollisone, then Town-Clerk of Aberdeen, in preparing a Catalogue of the "Registeris and Baillie Court Buikis of Aberdene, presentlie extint, or hes bene during the memorie of man thir thre scoir yeiris bygane," states that, before the year 1380, there did not appear any volumes of Record. "Befoir this, scrowis on parchment, contening sum courtis of the Brught of Abirdene, writin in Latyne all, and for ilk year ane skrow: na mater of importance or weycht extant or registrat thairin, nather yit ony ordinance or statut sett dounn, onlie suitis and actionis, or processus for annuellis, euil to be red, be resoun of the antiquitie of the wreit, and forme of the letter or charecter, weray schortlie and compendiouslie wretin, quhilk is not now vsit; and skairslie gif ony man can reid the samyn" Of these scrolls two fragments were lately recovered out of masses of useless papers which were decaying in a garret of the Town House. They consist of narrow membranes of parchment, stitched together endwise, but are obviously only incomplete parts of the much longer Rolls, each of which had formed the record of a year. From these two Rolls, the selections printed in the commencement of the present volume have been extracted. In one case, of which the Record

has been preserved, and is now printed,[a] where the Brieve *de recto* is said to be sewed to the roll, as relative to the proceedings, that document still remains, attached to the Record, and except in one part, where the parchment has been somewhat injured by damp, the "scrowis" are in good preservation, and the character is not so "euil to be red" as the style of writing used by Mr. Mollisone and his contemporaries.[b] The proceedings preserved in these fragments are not without their value and interest, as exhibiting the forms and principles used in legal pleadings of the day. It may be thought that the most interesting matter is contained in the first extract, where reference is made to a "Lex Burgorum," regulating the giving over of lands within burgh, "per quam dicitur cum cartis et clamore fiat tradicio terrarum in burgis,"[c] inasmuch as it seems to refer to a law which has not come down in our ancient code, known as "The Laws of the Burghs." Some valuable information on this point will be found in "Remarks on the Law of the Burghs, concerning delivery of Lands within Burghs," prepared, at the Editor's request, by Mr. Chalmers of Aldbar, which are appended to the Preface.[d]

The Extracts from the earlier volumes of the Council Register, which follow those from the Rolls, have been gleaned from these Records, on the occasion of several recent investigations; and it is believed that they will be found of considerable importance in various ways.

[a] p. 6. [b] Part of one of the "Scrowis" is printed in facsimile. [c] p. 6.
[d] Appendix to the Preface, No. I.

Extracts from the Accounts of the Burgh.

These Accounts, for the period from 1398 to 1453, are engrossed in the Council Register, amid the entries of the ordinary business of the Council and of the Burgh Court In the latter year, the accounts kept by the Dean of Guild commence in a separate form, although, unfortunately, the series which has been preserved is far from complete The first volume of the Treasurer's Accounts, dates from 1559; and among these, also, several gaps occur.

It is hardly necessary to enlarge on the great value of accounts such as those in question, for historical purposes. They relate to disbursements of the most diverse sorts—the most minute, as well as the most important—and serve, in many ways, to throw unexpected light on historical events,—on the character, manners, and varied pursuits of our burghal forefathers.

One striking feature pervading these accounts arises from the hospitable temper which seems to have characterised our civic rulers at all times. It cannot be denied that, on all occasions, the Cup of Bon-Accord was liberally dispensed.[a] In the earliest of the Accounts now printed, there are many entries for wine, dispensed to various good neighbours of the Town, among whom the Bishop of the day was not forgotten. Indeed, the cordial hospitality of the Burgh to the Clergy was at all times remarkable. Thus, in 1617-18, we have an entry "for wyne and spycerie to propyne the Laird of Corss," apparently when he was proceeding to St. Andrews, for the purpose of being consecrated; and another entry

[a] As to this cup, see "Book of Bon-Accord," p. 13.

informs us that he got a similar propyne "when he returned bischope."[a]

Again, Dr. William Forbes, who was Principal of Marischal College, on his removal, in 1622, to a pastoral charge in Edinburgh, got a banquet which cost 60lib., and his wife was presented with "wyne, suger, and tobacco." Dr. Forbes returned to the Burgh, as one of its ministers, in 1626; and in that year[b] we find an entry for the freight of a vessel which conveyed his family and furniture from Edinburgh to Aberdeen, "with fyftie merkis to Thomas Forbes, his brother, for his chairges in going southe to convoy the said Dr. Forbes hither."[c] In 1633, he was "written for to teache befoir the King's Majestie," when his expenses were defrayed by his kind patrons[d]; and in that year he was promoted to fill the newly-erected See of Edinburgh. Before he left the Burgh, he received a supper, at which the Magistrates and the Clergy of the town were present, and at which the guests were regaled by the music of "the violers." The cordiality of the connection which subsisted between the parties cannot be better understood than by the entry which shows the charge "at the saluteing of Doctour Forbes, at his hame cuming, 4 lib. 14 s.;"[e] and "for wyne careit to the Crabstane at the said Doctour Forbes departure."

A like good feeling on the part of the Magistrates towards his colleague, Dr. Barron, appears by the following payment "for ane dussone siluer spoones to Mr. Robert Barroun, Minister, to his first bous, in token of the townes lowe to him, 61 lib. 10 s.[f]

The first of the Reformed Ministers, Mr Adam Heriot, was re-

[a] 97. [b] 97. p. 144. [d] p. 150. [e] p. 101. [f] Ibid.

ceived at his entry with equal kindness, although displayed in rather a more homely fashion. In the Accounts of 1559-60, we have an entry for "ane garment and haill stand of claythis to Maister Adame Herreot, as well as for the expense of maintaining himself, his servant, and his horse, for 9 weeks"[a]

Mr Robert Bruce, one of the Ministers of Edinburgh, who, in 1605, was banished by the King and Council to the north, after spending some years in Inverness, where he was not well received, ventured, in 1610-11, to come southward as far as Aberdeen. His visit appears to have partly been at the request of the Magistrates; and, notwithstanding the cloud which hung over him, their hospitality to Mr. Bruce partook of its usual exuberance, and, accordingly, we find that he, first of all, was graced by a "propyne of succouris, sueit meats, and spycerie;" afterwards, he received the more substantial tokens of the town's good will, in the shape of "tua carkaches of beaff," banquets, and a present of wine, while his wife received a collation "in vine and succour;" and, in conclusion, the Burgh defrayed the whole expense of his lodgings and maintenance while he was in Aberdeen.[b] The Magistrates, on two occasions, interposed their influence with the Privy Council, in favour of Mr. Bruce, without success; and he was speedily compelled to return to his Highland quarters at Inverness. He at last removed to his own House of Kinnaird in 1613; but, in 1622, he was commanded to take up his quarters in Inverness; and, at his bygoing thither, it appears that he again partook of the town's "wyne and spycerie."[c]

At another time, we find a payment made to Mr. John Row,

[a] p. 112. [b] p. 93. [c] p. 97.

"quhen he came first to Aberdein, and wes wpon his tryelles, for making his chairges furth and home, 66lib. 13s 4d.;" and also the expense of "his transplantatioun from St. Johnstoun, 333lib. 6s. 8d.:" and "quhen the prowest and baillies went to salute him, 4lib. 18s. 4d."[a]

The Magistrates were also liberal patrons of literature and learning, as many entries will show. So early as 1433-38, we find a payment to the Master of the Schools.[b] In 1597, "Robert Lindsaye, pylot of the new schip to Hispain," gets a reward "in recompance of his carte presentit and dedicat to this toune."[c] Mr. David Wedderburn, Master of the Grammar School, on one occasion, got 40lib. for making his charges to Edinburgh, "being summondit anent Mr. Alex^r. Hume's Grammer;" and, afterwards, 66lib. 13s. 4d. "in help of his expenssis, be reasone of his long stay in Edinbrugh, upon the approbatioun of his new graimer;" and, afterwards, "for making of his charges to Edinbrugh, to procure the lordis of secret counsall, thair approbatioun, to the new grammer laitlie set furth be him, 100lib."[d]

Nor were his lighter attempts in the region of poetry suffered to pass unrewarded, as we see an entry to "Mr. David Wedderburne, for some poesies made by him on the death of the King, at the desyre of the toune."[e] They could not refuse a similar courtesy to Mr. Alexander Forbes, "for ane poesie presentit to tho prowest, on the praise of the toune;"[f] nor to Mr. Alexander Gardyne, "for dedicating of his pamphlet to the toune."[g] Occasional, entries

[a] p. 157. [b] p. 45. [c] p. 69

[d] For notices of this and other Works of Wedderburn, see Collections on the Shires of Aberdeen and Banff, p. 62, et seq.

[e] Ibid. [f] p. 102. [g] p. 101.

occur of money paid to Mr. Edward Raban, the first printer who settled in Aberdeen, for such work as the following:—"For printing the thessus of the college of the broch, at the lourtione of the skolleris this present zear, quhilkis are dedicat to the Magistrattis and Counsell, 12lib."[a] But it appears that a necessary preliminary to any work consisted in "drinksiluer to Raban's servant;"[b] and, again, "drink at the setting of the press."

The expense of Royal visits are occasionally to be found. Thus, in 1594, James VI. came to Aberdeen when on his expedition against the Popish Lords. On this occasion, his Majesty was entertained at the charge of the town, and the amount expended for the various articles is duly entered, including a "punscheoun of wyne," and a large supply of "spyceries."[c]

Charles II., on his route southwards from Speymouth in 1650, lodged in the Burgh.[d] On this occasion, we have the usual entries, as well as one for "My Lord Duke of Buckingham, and sundrie wther noblemen's charges, dwreing the aboade of his Majestie."[e]

Among the miscellaneous disbursements may be noticed those "for the burning and sustentatioun of the witches"[f]—an yearly entry "for wyne, succour, and glasses, the day of the Kingis Maiesteis deliuerie fra Gowrie.[g] "To my Lord Merschellis nureis, quhen as the towne wes invited to be his gossipis, ane dubill angill."[h] "To Archibald Armstrong, his Majesties plesant, ane Portugale ducat."[i] "Gevin for the expenssis maid on the intertenement of Monsieur de Halzie, Frenschemane, and the gentilmen his Majestes servands, quho cum to this burght with him."[j] Besides the notices which we find of the heavy sums exacted from the inhabitants on different oc-

[a] p. 106. [b] Ibid. [c] pp. 59, 61. [d] pp. 167, 176. [e] p. 165.
[f] p. 65. [g] 81, 85, 127, etc. [h] p. 86. [i] p. 96. [j] p. 129.

casions, to save the town from plundering "at that tyme," there are many others bearing witness to the impartiality with which both parties, in the great Rebellion, made free with the property of the "Brave Toun."[a] Thus a supply for "wyne and bread to the Marquis of Argyle, "than at Fyvie,"[b] is balanced, in the course of the same account, by a gift to "Alexander Grahame of Cairney, generall quarter maister to Montroiss armie, of three ellis Spanish tafetie," and various supplies to the camp of "Spanish wyne" and "acquauitie."[d] The town also furnished "two rim of paper," for the use of the great Marquis himself."[e]

Letters to Dr. James Fraser.

These Letters were found in the Charter Chest of the University and King's College, Old Aberdeen. Dr. Fraser, to whom they were addressed, entered King's College, as a student, in the year of the Restoration. After completing his education, he went to England, where, it is said, he was employed as Tutor to several young men of good family, with whom he travelled in various parts of the Continent. He was made Secretary of Chelsea Hospital in the time of Charles II., and retained the office during the reigns of James II., William and Mary, Queen Anne, and George I., having died in 1731. One of the various bequests which he made for the benefit of his *Alma Mater* was a gift of his library, and the Letters now printed form part of a mass of his papers, which came into possession of the College, along with his Books. It will be seen

[a] pp. 152, 153, 154, 162, 163. [b] p. 162. [c] p. 163.
[d] p. 164. [e] Ibid.

from the Letters that Fraser was an intimate friend of Gilbert Burnet, Bishop of Salisbury. He was also a friend and correspondent of the industrious Wodrow, on whom he conferred many courtesies, and the first volume of whose history he presented to King George I.

The first four are written by Mr. Martin, who appears to have had some connexion with the English Embassy at Madrid. In these he gives a ludicrous account of the Spanish Monarch and his Court. Of the latter he says, in the third Letter, written during the time of Lent—"The continual noise of *misereres* in the churches, and the dismal sight of penitents scourging their insolent flesh in euery corner of the streets, is the only entertainment we have at present in this Catholic Court, wher you'l imagine how impatientlie the galants and ladyes wait for Easter, to put on fine cloaths, change their hypocritical faces, and sin publickly, without scandal"[a]

The fourth is a Letter from the learned Lloyd, Bishop of St. Asaph, in which he discusses several curious points connected with our early history.

The letters written to Dr. Fraser by the Countess of Errol contain several graphic allusions to the unsettled state of the country soon after the invasion of the Prince of Orange.[a]

"The Prince of Orange his circular letters for the approaching convention is just now dispersing in this country; my Lord Erroll got his this morning. I pray God send it a good ending, for it is of great comfort, and I am mightily concerned for their security that is to be at it, since I hear there is ane army of people about

[a] p. 188. [a] p. 195.

Edinbrugh that hes kept them in trouble for severall ueeks, and it is not yet perfectly understood uhat they would be at; but I am so much a coward as to be afraid extreamly of those wariours, if they come near a convention wher I most expect a great number of my friends to be.

" Ther is also ane army of some hundreds of Highland men that hes threatened to come and destroy all my brother Perth's land.[a] He is sending his two eldest daughters hear, uho is realy extreamly fine young ladys, and it shall be much against my uill if any of them ever be in hazard of being put in a convent, for I love them uell, and I hope they shal not be permited to goe abroad, though he says he designs they shall, but it most be prevented."

And again, " It is very ueasie for me to think on the condition this country is in, for we have only as yet in this corner of it heard of the tuo first dayes of the convention at Edinburgh; and things hes so gloomy and so divided ane aspect, that I am sadly apprehensive of some great missfortune, nor is it to be doubted, for ther is so many privat quarels, and every man so much endeavoring to be uppermost, that it uill be a very hard matter to give our government queit for a uhile; and the common people are so sett on edge by ther hopes of relife from all taxes, that they uant but a little

[a] James sixth Earl of Perth, who is here and elsewhere referred to in these Letters, had been recently converted to the faith of the Roman Church. An interesting series of Letters from his Lordship to the Countess of Errol has been printed for the Camden Society. From these it appears that his Lordship was a sincere convert. In one of them, dated Venice, 28th March, 1695, he writes:—" I offer you dailly to God that he would convert you, that you who see so far in all things else may at last see the unreasonableness of being a Protestant." While on the other hand the Countess writes of her most earnest hopes that she may one day see her Brother " a member of that gloryouss church which it was his misfortune to fall from." Of Burnet, whom the Countess regarded so highly, his Lordship adds in the same Letter:—" Abbe Leith swears Burnet is the damn'dest lying rogue in the whole world. I give it you as the Abbot's own words, who speaks broad Scots, excellent French, and Italian like a Roman."

of a disapointment to be on fire; and nobody knows whome to trust, for it is realy a very sad thing to consider how much division and quareling does threaten some mischief to come upon us, if God of his mercy do not prevent it, uhich I earnestly pray that he may doe; and since my Lord Erroll went away to the convention I have been in the most extream consern in the world for fear of him, nor can I be at peace least he may be involved in danger, though I am sure he will never do anything himself to draw it upon him."[a]

Documents from the Charter Chest of the Earl of Airlie.

The first of these papers is a Bond dated 31st July, 1578, by the Earls of Athol, Argyle, and Montrose, and Lord Ogilvy of Airly, binding themselves to pay to Captain Patrick Cranstoun and his wife, and the survivour of them, a pension of 100 merks for the "gude and thankful seruice done and to be done be Patrik Cranstoun, for the libertie and releif of our souerane the Kingis Maiesteis persone."

James VI. had recently fallen into the custody of the Earl of Mar through a plot in which, although Mar appeared as the ostensible agent, the real mover was doubtless the wily Earl of Morton, who was longing for a restoration of his credit and power.

The Bond now printed is signed by the Earl of Athole the Lord Chancellor, and the other leaders of the faction opposed to Morton, and probably refers to a counterplot by them for regaining possession of the King. It does not appear that any such attempt

[a] p. 197.

was made, but in any event Cranston appears regularly to have drawn his pension, as we find by the second paper that he discharges Lord Ogilvy of his share of it down to 1595.

The Third Document is a Letter from Sir William Ogilvy of Barras to James Earl of Airlie, dated 22d April, 1682. Sir William was son of George Ogilvy of Barras, who so manfully held out the Castle of Dunnotter, containing the Regalia of Scotland, against the usurping Parliamentary troops, and whose wife (a member of the house of Angus), in conjunction with the Dowager Countess of Marischall, and Christian Fletcher, wife of Mr. James Granger, Minister of the Parish of Kinneff, devised a successful scheme which resulted in the rescue of the Regalia and their concealment in the Kirk of Kinneff After the surrender of Dunnottar, Ogilvy and his wife were imprisoned by the English on account of their share in this transaction, and their property suffered by the imposition of heavy fines. Yet, at the Restoration, these loyal and courageous services were acknowledged with only the unsubstantial reward of a Baronetcy, and a change in the feudal holding of the lands of Barras from ward to blench.

It appears that Sir William, the son of the defender of Dunnottar, was pressing his claim at Court for a more tangible reward of his father's heroic services, and this Letter is written to invoke the aid of the Earl of Airlie in his behalf Sir William appears to have been a keen sportsman, taking the opportunity to remind his Lordship that he had expected one of his Lordship's "Clan Ronald Hawks," and as he had been informed that there "vas ane goose-hawks eyrie at Clova," he also makes request for "ane goosehawk." The fourth paper would appear to have resulted out of the applications made on behalf of Sir William. It is a Draft of a Precept

by the King for expeding a letter under the Privy Seal of Scotland "making, constituting, and appointing Sir William Ogilvie, Knight baronet, during all the dayes of his lifetyme, Master of his Maiesties hawks, chief huntsman, and master of the royall game, with power to him during the said space to use and exerce the said places and offices with all privileges, casualties, fies, profits, and commodities whatsomever that ever did or that may hereafter belong to the samen." It was proposed at the same time to annex a salary to the office in question, but it would rather appear that the matter did not go farther.

Decreet of the Synod of Perth.

This document is printed from a Transcript, among the Panmure Collections, made from the original at Arbuthnott House in the early part of last century. A somewhat loose translation of the Decreet was printed in the first volume of an "Enquiry into the Early History of Scotland," by John Pinkerton, where he states that "the above is said to have been translated from the original Latin in the possession of Lord Arbuthnot, about 1700 by a Mr. Clerk, schoolmaster at Bervie."[a]

It contains the judgment of a Synod of the Church of Scotland assembled at Perth on 11th April, 1206 in a cause between the Bishop of St. Andrew's, on the one part, and Duncan, Laird of Arbuthnot, on the other part, relating to the Kirktoun of Arbuthnot, which the Bishop claimed as belonging to the Church of St. An-

[a] Advertisement, p. xiv.

drew's, and of which, as he alleged, the said Duncan had robbed that Church.

Judgment was given in favour of the Bishop, and the evidence on which the Synod proceeded is annexed to the sentence. Some of the depositions of the witnesses are exceedingly curious, and illustrate the tenure of an early class of Tenants called Scolocs,[a] perhaps resembling the Corbæ of Ireland.[b] A newer and more curious character is assigned to the "Scolocs" in the admirable paper on the subject of "Scholastic Offices in the Scottish Church in the Twelfth and Thirteenth Centuries," which Mr. Robertson was so kind as prepare for this work, and which is printed as an Appendix to the Preface.

The Editor is also indebted to Mr. Robertson for the following

"Notes on persons mentioned in the Decreet of Perth":—

John of Hastings seems to have possessed the manor of Dun in Angus, and is a frequent witness in the northern charters of King William the Lion. (Lib S. Trinitatis de Scon, p. 22; Regist. Vet. de Aberbrothoc, pp. 19, 23, 32, 33, 36, 58, 62, 63, 99, 124; Act. Parl. Scot., vol. i., pref., pp. 79, 85.)

Ysaac of Banevin, the second witness, appears, with Walter, Prior of St. Andrews, as a witness to a charter of the Church of Fowlis, by William Maule of Fowlis. (Regist. Priorat. S. Andree, p. 41.)

Adam of Banevin, his nephew, is found as a witness to charters

[a] According to Lhuyd, "Sgológ" is a farmer, a husbandman. O'Reilly in his Irish Dictionary gives Scológ, Scolog, a petty farmer, and Bullet in *Memoires sur la Langue Celtique* says "Sgolog, laboreur, fermier, metayer paysan." "In the old manuscripts the letter c occurs frequently where they now use g." Lhuyd, Archæolog. Britann. Pref. Tit. x. Oxford, 1707.

[b] Spelmanni Gloss. voce Corba.

of the "Abbs," or hereditary lay abbots of Edzell, and of their Angus neighbours, John of Montfort, and Hugh Malherbe the younger. (Regist. Vet. de Aberbroth., pp. 42, 47, 48, 49.)

Hugh de Benne, or Bennef, appears as a witness to charters of Earl Gilliechrist of Angus, Bishop Matthew of Aberdeen, Bernard Fitz-William Fitz-Bernard, and John de Montfort. (Regist. Vet de Aberbroth, pp. 29, 30, 31, 32, 45, 47, 136.)

If we could be assured that the name of the witness, Andrew de Bas, had been quite correctly transcribed, we should be helped to the surname of Hugh, Bishop of St. Andrews, which does not seem to be elsewhere recorded.

"Master Ysaac," and "Hugh the Steward," may, perhaps, be identified with persons of the same name, who appear on record at the same time in deeds relating to St. Andrews. (Regist Priorat. S. Andree, pp. 154, 156.)

Extracts from Baron Court Books.

The Court Books of the Baronies of Skene and Leys are preserved in the Charter Room at Crathes; and the Minutes of the Court of the Barony of Whitehaugh form part of the Collections in the Charter Room at Whitehaugh. The Extracts now printed illustrate the working of these little feudal courts in their ordinary business; while some of the entries reflect considerable light on various customs of the day.

The judgments of the Baron Baillie seem often to be rather arbitrary; but, at times, he appears to have had to deal with rude

materials. Here is his mode of remedying one cause of complaint:—

Nov. 26, 1660. The said day, forsamekill as the stewart within the place gawe in ane complaint, schawing therein that he was oft and diuers tymes reprowed for presenting to the tabill of ewill baikin bread, and declaired that he was nocht abill to amend the same for want of barme to the batches at all tyms. Thairfore, the baillie hawing takin consideratioun for remeid thairof in tyme comeing, and finding that thair is ane gryt pluralitie of brewars within the laird's awin lands, decernit the haill brewars, *per vices*, ilk ane in thair tourne, to gift weeklie to the stewart, or to any wther he sould happin to send for the same, ane quart of barme, for making and baiking of sufficient bread; and quhosoewir refuises, being desyrit to send the same, sould pey to the stewart the pryce of ane quart of aill, in reddie money, to by the samen; and quhosoewir failles in manner forsaid, ordaineis the officier to poynd presentlie for the samen. And it is heirby declaired that ilk brewar that sends in the barme sall hawe thrie loawes for the samen.[a]

Miscellanous Charters and Contracts.

These documents have been printed from the Collections of the Honourable Harry Maule of Kelly, youngest son of George, second Earl of Panmure, by whom they were made, at various periods, between the years 1700 and 1730. In many cases, the transcripts were made from the original documents; and where the case was otherwise, the source whence the copy was derived is almost always given. It is to be regretted that these transcripts are not so accurate, in all respects, as could be desired; and that, in some cases, slight inaccuracies have occurred in printing the documents, by a too rigid adherence to the copy. The collection, however, is so curious and important, and the chance of getting access to the original papers belonging to so many different owners, for the purpose of collation, so small, that it was thought better to print the

[a] p. 231.

documents from Mr. Maule's copies, rather than run the risk of wanting them altogether. It will be seen that, besides other original Charters, the present Collection contains Documents from the Charter Chests of Lord Torphichen, Lord Gray, the Duke of Douglas, the Earl of Errol, Stirling of Keir, Lord Lovat, Lord Panmure, the Earl of Mar, Lord Elphinstone, Lord Pitsligo, Bishop Halyburton, and the Earl of Wigton.

No. XXXI. preserves to us a specimen of those numerous heritable hereditary offices which existed in feudal times, being a retour of the service of Alexander Lindsay, as heir of his father, Richard Lindsay, in the shop and office of blacksmith of the Lordship of Brechin, dated 29th April, 1514. By it the inquest, selected from the Barons of the Shire, reports, on oath, that the late Richard Lindsay and his forefathers were common smiths of the workshop of the Lordship of Brechin, and of good and laudable custom, had received for the said office hereditarily nine firlots of good meal of every plough and mill of the tenants of the following towns, viz.: Balnabroch, Kindrokat, Petpollocks, Pettinde, Hanch of Brechin, Brichtiemill, Pettintoschall, Balbirny, with the Mill of Kincraig and Loachland; and one fleece of an old sheep yearly, of every one of the tenants of the said towns, for the working of a forge, by use and wont of the tenants; and also common pasturage, in the Long Haugh of Brechin, for two cows and a horse.

No. XXXII. is a Tack, dated 3rd Sept., 1521, by the Abbot and Convent of Cupar. to John Pylmoir and his wife and their heir male, for their lives, and to the survivor of them, of a toft, yard, and two crofts, and is principally remarkable for the traces which

it presents of that spirit of improvement in the Convent, which has been remarked of their brethren at Kinloss about the same time.[a] The Tenants were "to put the said toft yard and crofts till all possibyl policy in biggyn of gud and sufficiand yeird houses for haw, chawmerys, and stabuls to resave and herbry to the nowmer of xij. or xvi. horses, honestly as efferis for horse meit and manns meit, sua that of resoun thai be sein no falt in thaim: plantand frut tris . . . with their defensours; and thai sall keip gud nighburhed and the lands fra guld: and thai sall keip our medowis, wards, and broumerparks fra thaimself and thair catel under pain as efferis."[b]

No. XXXV. is a Deed, by which Malcolm, Lord Fleming, founded and endowed the Collegiate Church of Biggar, and affords us a fair specimen of what was, for a time, the fashionable mode of development of the piety of the wealthier classes.

By it, with consent of the Archbishop of Glasgow, the Dean and Chapter of Glasgow, and, on the customary narrative of motives, his Lordship founded a College or Collegiate Church, dedicated to the Blessed Virgin, with endowments for a provost, eight canons or prebendaries, four choristers, and six poor men. The first prebendary was to be stiled the Prebendary of the Hospital of St. Leonard, and was to be master of the singing school, and instruct the boys of the said college, and others who might attend, in plain chant, pricksong, and discant, and be skilled in playing the organ for divine service. The second prebendary was to be teacher of grammar, and be sufficiently instructed in grammar. The third prebendary was to be sacrist of the College. He was to ring the

[a] Quart. Review, No. cxliv., p. 396.
[b] p. 293.

bells, light the candles on the high altar and the two aisles, and the altar of the crucifix. He was also to prepare the vestments and ornaments of these altars, and wash and clean them, and, when necessary, repair them; and, after being thus washed and mended, he was to place them on the said altars, and cover them, as the season might require. This prebendary was also to furnish bread and wine for the celebration of mass at the College throughout the year. The fourth prebendary was to be the instructor of the poor in said College, and administrator of their food and other dues. The duties of the other prebendaries are not specified. The eighth was to be vicar pensionary of the said College Church, and, along with the others, was to make continual residence, and perform divine service in the choir, unless when he might be engaged in the administration of the sacraments to the parishioners. The four boys were to have shaven crowns, and to wear gowns of a blue colour,[a] like those worn by the singing boys of the metropolitan church of Glasgow. The six poor men, or beidmen, were to dwell in the hospital and garden founded for them. If possible, they were to be taken from the founder's Baronies of Bigar and the Lengze; and each was to have, yearly, a white gown of woollen cloth, with a white hood, and were to be present daily at high mass, and all vespers sung in said Church; and, after the founder's death, were to sit at his tomb, and that of his parents, and devoutly pray for the souls of the founder and his wife, and those of his forefathers and successors. An endowment is provided for each member of the foundation, besides which the provost and prebendaries were to have manses and gar-

[a] "Blodei coloris"—blue, according to Ducange. Cowell and other English Glossarists derive the word from the Saxon blod (blood), and translate it crimson.

dens in a convenient place near to the Church. By order of the founder, the following round of religious services was to be observed by the members of his College. First, a mass of the blessed Virgin was to be said before the commencement of matins between six and seven o'clock, and that during the summer and winter seasons; high mass was to be sung daily after ten o'clock to the Gregorian Chant, or descant with music on the organ, as the season requires. Likewise a third mass to be said immediately after the consecration and elevation of the host at high mass. On every Monday a mass of *requiem* was to be sung for the souls of the founder, his wife and relations, and the faithful departed, as also on the greater double feasts commonly observed by the clergy and people. On Tuesday was to be sung, immediately after matins, a mass in honour of St. Anne, mother of the blessed Virgin. On Wednesday, at the same time, a mass in honour of St. Nicholas and St. Ninian. On Thursday, a mass in honour of the body of Christ On Friday, the mass of the five wounds of Christ, and on Saturday, after matins, mass of the feast of the compassion of the blessed Virgin.[a] It was also enjoined on him who celebrated high mass that, immediately after the service was concluded, he should come to the founder's tomb, habited in his stole and alb, and say the Psalm *de profundis,* with the usual collects, prayers, and sprinkling of holy water. The prebends were required to make personal residence, and to perform the prescribed services in their habits—namely, clean linen surplices, with red hoods, trimmed with fur.

The founder of this religious institution was Malcolm, third

[a] "Compassion of the Virgin, or our Lady of Pity. The Friday in Passion week." Chronology of History by Sir Harris Nicolas, p. 118.

Lord Fleming, who succeeded his father in the family estates, and in the office of Great Chamberlain of Scotland, in the year 1524. After a life of active political service, he was slain at the Battle of Pinkie, on 10th September, 1547, while yet in the vigour of his manhood. Early in that year, which proved to be his last, he made his will, which is printed in No. XXXVI. of the Miscellaneous Contracts. This document contains a list, (with the value of each article) of his extensive moveable estate, which, however, formed but a small part of his wealth. He had been married to Joanna Stewart, a natural daughter of James IV.; and he ordains her "to be principall intromittar with all my guddis, moveabill and unmovabill,"[a] except "gif she maries, or uses ony man in marage, or by marage." The following clause, in reference to the Collegiate Church of Biggar, and relative erections, shows that they had not yet been completed: "And I leif all vestments that was indued to the Kirk of Biggar, and Colledge of the samin; and all other profits whilk belangs to themselves, as the erection of the Colledge bears, to the utility and profite of the samen, ay, and while the Kirk, College, alemosineress, and mansion-house be beggit and putt

in their own places, as the erection of the said College bears; and ordinis v[c] merks of my own proper guddis to be tane to buy vestments and bigging of the said College and mansions, chalices, or any other necessar things that is needfull for the said College, and ordenis instantly eftir the completing of the said College, to bear my father's cymeter fra the place of Boghall to the College,[b] whilk sall be born the xii. day of October in the solemnest gate that can be deviset baith to the honour of God.[c]

[a] p. 309. [b] p. 314.

[c] It appears, indeed, that the whole of the buildings were not completed when the work

Birth Brieves.

The Selections printed under this title[a] have been made from a volume among the Records of the Burgh of Aberdeen, commencing in 1637, and coming down to the year 1705. During the above period, and especially during the reign of Charles I., many descendants of Aberdeenshire families settled in Sweden, Poland, and Russia. It generally happened that the settler in a foreign country was desirous of obtaining a certificate of his descent, by some recognised authority, with the view of establishing the fact in the eyes of strangers. The process seems to have consisted in the appearance of two or more friends before some of the Magistrates of Aberdeen, and giving oath to a statement of pedigree. The value of such certificates will be found to be very various. In some, the statement of the witnesses are distinct and coherent: but, in others, they consist of mere vague assertion. Their principal value consists in their preserving to us the names of many members of well-known families, and furnishing us with occasional incidental notices which are historically interesting.[b]

was interrupted by the Reformation. "The Collegiate Church, which was that also of the parish, stood in the village of Biggar. It was built in the form of a cross, and is still in use." "In the year 1555 the perpetual vicarage of the parish church of Saint Mary and Saint Bruoc, at Dunrod, was added to the endowments, at the instance of Master John Stevenson, precentor of Glasgow, vicar of Dunrod, and the first provost of our Lady College of Biggar, with consent of the patrons the canons regular of Holyrood, and of the ordinary of the diocese. The Bishop's charter bears to be granted in consideration of the singular zeal and pious affection towards God and the Catholic Church, which were shewn in these unhappy days of Lutheranism, by a some time noble and mighty Lord, Malcom Lord Flemying, who at his own charge built a stately church in the village of Biggar, dedicated to our Lady of the Assumption, and commonly called the College of Saint Mary of Biggar." (Origines Parochiales, p. 133.)

[a] These documents might be more accurately termed Attestations of Propinquity.

[b] The Birth Brieves now printed are of the same class with the "Bore Brieve," granted by the Scottish Parliament, in 1686, to Charles Colbert, Marquis of Seignelay, as

Missives to the Provost, Bailies, and Council of Aberdeen.

These documents have been selected from a large mass of official papers in the Town-House, relating to the affairs of the Burgh, which have been recently arranged.

The first is an order from King James VI., in which he intimates his intention of "being with ane army in theyse pairtes," and desires the Magistrates that they "faill not to caus be maid reddy and preparit all kyndis of prouisions and viueris necessar for the interteanement of ws and our army." The expense attending his Majesty's reception will be found in the accounts printed in this volume,[a] from which it also appears that the Town was obliged to contribute some aid to the object which principally drew his Majesty to the North,—viz., the chastisement of the Earls of Errol and Huntly: "Item, to Robert Stewart, for tuentie stane weycht of pulder, furneist be him to the toun, to the douncasting of Strathbogie and Slanis, 213 lib. 6s. 8d." "Item, gevin to John Frasser, measone, and uthir measonis, craftismen, and pionaris with him, for thair expensis in being at the douncasting of Strathbogie and Slanis, 86 lib."[b]

No. IV. is a Petition from the Burgh to his Majesty, setting forth that they had recently become bound not to have any inter-

a descendant of the Cuthberts of Castlehill, near Inverness, and as a connection of all the more ancient families of Scotland. The Preamble in the Parliamentary warrant for the Bore Brieve recites the reasons for its being granted, and the same motives might be alleged by the parties requiring our Birth Brieves.

[a] pp. 59, 60. [b] pp. 61-2.

course with the Earl of Huntly, "and now the said Erll being returnit within this realme, and in conference with the Presbiterie of Abirdene, quhilk is kepit within our burgh, for his reconsiliatioun to the kirk, we, for feir of incurring of your Maiesteis wraith, . . . dar na resett him within oure burgh, and hes alreddy refuised to grant him any resett or supplie within the same." "And seing it is luiked for be all men that the said Erll sall conforme himselff to all things quhilk sal be requirit of him, and sall obtene himselff relaxt fra the sentence of excommunicatioun," they therefore entreated to be released from their Bond, and their request was conditionally granted by the License in their favour being No. V. of the Missives. The result justified the expectation of the Magistrates, as appears from the "Forme of the Erle of Huntlie receaving to the Church,"[a] described in a letter from Mr. T. Mollison to "his gossop, Mr. R. Paip, aduocat, befoir the Lordis," 28th June, 1597, and some entries in the accounts printed in this volume furnish us with the expense of the proceedings adopted on that occasion, and seem to justify Mr. Mollisone's remark in winding up his account, that "at ewin nathing but wauchting." "For sex quartis wyne to ministrat the sacrament of the Lordis Supper, quhen the Erlis of Huntlye and Erroll war absoluit of their excommunicatioun, 4 lib. 16s. Item for bread to the communioun at the same tyme, 12s. Item debursit upon wyne, spycerie, and glassis at the croce at the receaving of the Erles of Huntly and Erroll to his Majesties pace, as followis, viz., for aucht quartis wyne at xvi. s. the quart is 6 lib 8s. Item for auchtene glassis cassin at the croce, at 20s. the dussene, 1 lib. 10s. Item for ane

[a] Miscellany of Sp. Club, Preface, p. lxii.

dussoun buistis, scorchettis counfeittis, and succer almonds, at aucht s. the buist, is 4 lib. 16s. Item to John Laying for naillis to fassin the tapestrie about the croce, 2s "[a] No. VII. contains a wise and fatherly advice from King James to the Magistrates, in which he recommends to them the care of the commonwealth of which they were members, and their own particular estate, so "that the inconveniencie you may susteane be our absence may be repairit be your industrie and greater diligence in seiking and following furth all lauchfull treadis, that be the example of vther weill governit commounwelthis may help or enriche you; and quhat help or furtherance ye will crave fra this estate, it sall not be inlaiking; and becaus obedience to justice is ane of the best meanis to bread quietnes, wee recommend vnto you that honorable cair ye aucht to haue of all thame quhom we haue established in any pouer, sie thair directionis put in executioun as our will, put vp your suittis and peticionis vnto thame quhom we haue directed cairfully to luik vpoun all thingis, may procure peace, welth, and guid ordour, and may keep all sort of personis fra wrong or oppressioun."[b]

In No. XII. and XIII. will be found a few scraps of information from Provost Alexander Jaffray, dated from the Hague in April and May, 1648. Jaffray was one of the Commissioners appointed by Parliament to treat with Charles II., and the state of matters which he records will hardly allow us to wonder that the conference was attended with no substantial result.

[c] "We haue not head that swcesse in owr imployment heir withe the King that we wold wossed, by reasone of awill counsall that

[a] pp. 121-2. [b] p. 375. [c] pp. 379-80.

ar abowt him. He is schortlie to goe for France to meit withe his mother. Till then he will not resolwe what to doe. I heir ther is sum troubles amonge yow pretending for his serwice, but I wowld they ar not his frindes, and he hes publicklie to ws discleamed anie powr or commissione from him to them, or that he will giwe anie swche powr other by sea or land aganast Scotland. I heartellie wosse that anie that lowes religione, the Kinge, or ther owen good. keepe themselwes free of anie accessione, or giwing cowntinance to swche wnhape men. I trwst I sall not neeid to desire yow to be cairefulle that nothinge of this kynd escape anie of our nightboures; but, on the contrarie, that they schowe themselwes wolling in ewrie thing to the cowntreys serwice. This vas promised librallie by me in ther names; and I know they sall newer repent it. On Doreslaws sent heir from England to correspond betwixt that parlament and the esteates heir, and to mak way for ane embasadrie from them was (for his being accessorie to the leat Kinges deathe) yesternight, in his lwdging killed. It is not knowen by whome, but that they war Englichemen. The peace in France is not sewre, neew trwbles reysinge ther againe."

Jaffray was despatched on the same mission in the subsequent year, but in his diary he afterwards records his regret for sharing in these transactions. "We did sinfully both entangle the nation and ourselves, and that poor young prince, making him sign and swear a Covenant which we knew he hated in his heart; where I must confess, to my apprehension, our sin was more than his. I had so clear convictions of this that I spoke of it to the King myself, desiring him not to subscribe the Convenant if in his conscience he was not satisfied."

By the Act of the Scottish Parliament, sentencing the great

Marquis of Montrose to be hanged and quartered, it was decreed that "one lyge and foote" of their unfortunate victim should be placed on the "porte of Aberdeine."[a] It appears that a hand of the murdered Marquis had been substituted, and that when Charles II. visited the Burgh in 1650, it was sticking on a pinnacle of the Tolbooth, opposite to which the Monarch lodged on that occasion.[b] Sometime prior to the Restoration this member of the Marquis was taken down and interred in the Church of St. Nicholas, and now when that event had occurred, it was disinterred, and amid a concourse of citizens, "in ther best armes," was carried to the Town-House with sound of trumpet and beat of drum, there to remain till orders should be received for carrying the limb to Edinburgh,[c] thus anticipating, as it were, on a small scale, in the one

[a] Sir James Balfour's Works, vol. IV., p. 12.

[b] Historical Discourses upon several occasions. By Sir Edward Walker, Knight Garter, &c. London, 1705, fol. p. 160. Sir Edward was an attendant on Charles II., speaking of whom he says:—"He was lodged in a merchant's house opposite to the Tolbooth, on which was affixed one of the hands of the most incomparable Montross." Quoted in Book of Bon-accord, p. 78.

[c] The following Minute of Council describes the curious proceedings referred to in the text:—

25 Februar, 1661.

The said day, the counsell haveing informatione from Doctor James Lesly, Doctor of Medicine, that it was signified to him from Edinburgh, by Capitane George Melvill, that it wes the desyr of ane noble and potent Earle, James, Marques of Montrose, that that dismemberit part of the bodie of the lait murtherit Marques of Montrose, his father, suld be soucht out of the place of the Church of this Burghe, wher the samen wes interrit efter it wes taken doune from of the pinacle was put up by the enimies of the said Marques, and that the samen suld be taken up and preservit, till order suld come for transporting the samen to the bodie; and the Magistrates and Councell haveing givin order for the forsaid effect, and report being maid to them that the said member wes fund out in the place of the said Church wher it had beine interrit; and, being most willing and desyrous to tack up and preserve the same in the most decent and convenient maner euld be gone about—Have appointit, and does appoint the inhabitants of the burghe to be warnit be beat of drum and sound of trumpet, for conveining this day, about twelff a clok, in ther best armes and array, for accompanieing the Magistrates and Councell to the Church, for tacking wp the said member. And that the samen be taken wp and put in ane coffin, to be coverit with ane reid crimpsone velvit cloth, and caried be Harie Grahame, sone to the Laird of Morphye, from the Church doun the Braid Street to the Toun's publict house, accompanied with

member the splendid pageant which witnessed the final and, as it has been termed, "the true funerals of Montrose," in the Cathedral Church of St. Giles soon afterwards.

No XVII. is a Letter from the second Marquis of Montrose, in which he thanks the Provost and Magistrates "for their having witht much solemnitie reased that member of my father's which was erected in your cittie," and desires them to deliver the same to the lairds of Morphie and Fintrie, or to any having ther warrant."

No. XVIII. is a Letter from the Laird of Fintrie, dated 9th April, 1661, giving authority to the bearer of it to receive the dismembered hand, which had been resting in the Town-House for about six weeks.

Documents relating to Orkney and Shetland.

These documents (with the exception of No. I., which is now in the General Register House, Edinburgh,) are in the possession of George Petrie, Esquire, Clerk of Supply at Kirkwall, by whom they were kindly communicated to the Editor, and will be found to contain various points of interest connected with the ancient his-

the Magistrats and Counsell, and with the inhabitants of the toune goeing before in armes to the Toun's publict house with sound of trumpet and beat of drum, ther to be kepit under custodie of the Magistrats in the hich Counsell Hous, till such tyme as order suld be sent for transporting theroff, and appoints the inhabitants to discharge their guns, and shoot volies at and about the mercat croce at their comeing thervnto, and delyverie of the said member to the Magistrats. (Council Register, vol. liv., 248-9.)

tory of Orkney, and the usages of its inhabitants. The Members will be pleased to receive the following remarks on the subject, prepared by Mr. Petrie at the request of the Editor:—

The Attestations and Decrees of the Lawmen of Orkney go far to illustrate the nature and mode of administration of the ancient laws of the Islands; and, as most of their early records have been destroyed or lost, these documents are now the more valuable.

The Islands of Orkney and Zetland were for many centuries under the dominion of Norway, and were governed by its laws and usages. In 1468, on the marriage of James III. of Scotland with Margaret, daughter of Christian I. of Denmark, these Islands were mortgaged to Scotland by the Danish King, in security of his daughter's dowry; but it was expressly stipulated that their ancient laws and customs were to be maintained inviolable. This important condition was specially referred to in subsequent leases and grants of the Islands by the Scottish Government, and in 1567 it was declared by the Estates of Parliament that Orkney and Zetland should be subject to "yair awin lawis," and not to "ye comone law of yis realme." Even in the times of Earls Robert and Patrick Stewart, the maintenance of the "cuntre lawis" and usages, which was enjoined in their charters, was generally observed by them, although too often rendered subservient to their own avaricious purposes. It was not until the year 1611, that the Privy Council, taking advantage of the charge of oppression and tyranny against Earl Patrick Stewart, made it a pretext for "discharging" and annulling the ancient laws, and substituting for them the laws of Scotland, in direct violation of the conditions of the mortgage.

Although there is now no copy existing of the primitive code, yet there is sufficient evidence to show that the laws were, both in their nature and administration, characterized by great simplicity, and differed essentially from those of Scotland. One important feature in them was the law of heritage, which provided that, on the death "of ony landit man haveand land within the said cuntrey, . . . the haill landis and heritage appertaning to him in his lyftyme, immediately after his deceis, war equallie and lauchfullie (to be) divydit amangis his haill bairnis, alswell sones as dochteris, comptand alwayis twa sistars partis for ane brotheris pairt; and being sua divydit, the eldest brother (to have) na farder prerogative aboue the rest of his brether, except the first choise of the pairtis and parcellis of the landis divydit."[a]

The book which contained the ancient laws was called "the Law Buik," and

[a] See Appendix to Peterkin's Notes, p. 96.

reference is made to it in several manuscripts still extant. It is probable, however, that the "Law Buik" was not a mere transcript of the laws, as has been often supposed; but that it also comprised a Register of the Decrees of the Lawmen. It appears, in short, to have been the Record of Court, containing a copy of the "euntre lawis," to which the Lawman and the Rothismen or Assize were enabled at once to refer. This may be inferred from a Decree, dated 27th April, 1509, fixing the Marches between two conterminous properties, in which "the Lawman of Orkney, and the wirdiest and best of ye landgoderytt, landytt men, and Roythismen, fyndis be *ye lawbuik*, ye dyk steith yt strekis fra ye nether dame of Saba to ye march stane att standis att ye sowith wast end of Meissegere wass, is, and sall be meyrch,"[a] &c. In this case, the Marches seem to have been judicially ascertained on a former occasion, and a record of the facts preserved in the "Law Buik," to which reference was made by the Lawman at the date of the "finding" above quoted.

The jurisdiction of the Lawman, at least subsequent to the mortgage of the Island, extended over Orkney and Zetland—a substitute, with the designation of Head Fold or Foud, being appointed to act in Zetland in the absence of the Lawman. There were also the "Roythismen," or "Rothismen," who acted as Assessors in the Head Court or Lawting. Each Parish also had a Sub-Foud, who held Courts, and maintained order in his district, in which he was assisted by the Lawrightmen or Laerichmen. The decisions of the Sub-Foud were subject to review in the Lawting or Head Court, in which the Lawman presided.

The Lawting was held at stated periods, at Kirkwall in Orkney, and at Tyngwall in Zetland; and the Decreet of the Lawman in 1510,[b] and other existing documents show that the Sub-Fouds and Lawrightmen also sat in the Lawting, along with the Lawman and Rothismen.

But there is a circumstance respecting the district or Sub-Foudry Courts, which is peculiarly interesting as connecting them with the standing stones.

In some of the Parishes and Islands a single standing stone is still seen in a central or commanding position. It may be difficult or impossible now to ascertain the purpose for which these large undressed blocks of stone were originally erected. It may have been to commemorate a victory, or to point out the spot where a warrior fell, or the ashes of a chief were interred. But, although their earlier history is shrouded in mystery, yet it is very interesting to know that in later times these standing stones became the places of public resort, where the Sub-Foudry Courts were held, and intimations relative to sales of lands and similar transactions were given, with the same view to publicity that similar intimations are now made at market-crosses and church-doors. Evidence of this curious circumstance is found in manuscripts discovered in Kirkwall about four years ago.

[a] MS. in possession of G. Petrie. [b] p. 394.

Thus, in a "Dome dempt at Kirkwall, on Tuesday, in the Lawting," in June, 1514, by "Nicoll Haw, Lawman of Zetland and Orkney for the tyme," affirming a sale of land by Nicol Fraser or Fryscll, which was challenged by his brother, Alexander Fraser, it is stated, that the "said Nicol diver and syndrie tymis come to the said Alexander, and offerit him the bying of all and haill his rychtis and his fatheris heritag befoir ony utheris, and he refusit it all tymis;[a] and, thaire-after, he come before the best and wirthiest in the cuntre, and diuers and sindrie tymis in *courttis* and *heid stanes*."[b] Again, it is stated in another MS., dated at Kirkwall, 1st May, 1550, that, "scin it meritable is to furthschaw ye veritie quhair-throw ye hyding thairoff generis prejudice, harm, and skaith to ye righteous. Than it is yat I, ye forsaid Edward to . . . makke knawin yt I and my spous, Jonet of Ska, quhom God assoilzie, at *tyng* and *stein* diuerss days and yeris in the burght of Kirkwall, and in to landwardt quhair it effeirit, we maid it knawin yat Barnard of Kamsto and his aris had tayne and violentlie possedit four merkis land, and ane half wt ye profeits yir mony zeris pertening to my said wyffis mother, Kath-eren of Papley,"[c] &c. And, in a third manuscript, or rather a fragment of one, which appears to have been the minutes of a Sub-Foudry or Bailie Court, held in the parish of Ssint Andrews, the preamble runs thus—"*Ane staine* haldin at Tankarnes."[d] The only part of the date which remains is the words, "fyfty iii zeris;" but it is probable that it was 1553. Now these extracts go to prove that, while the intimation of the sale of lands was made in Kirkwall, in the "Tyng" or Head Court, it was also necessary, when the property lay in a landward parish, to give notice of the seller's intention at the *stein*, in the parish in which the lands were situated. And, although it may be said that the "staine," as shown by the last extract, simply meant the Sub-Foudry Court of the parish, yet this makes it all the more evident that these Courts had at least formerly been held at the standing stone or Heid Stane, and that the one was so associated with the other, that a "Court" and a "Staine" became synony-mous terms.

[a] "There was also another important udal law, for the due execution of which the foude of each parish was made responsible. No one could sell land, unless upon most urgent claims of poverty, or unless the land was first offered to the nearest of the seller's kindred; a right of redemption remaining for them a considerable period after the sale had been ef-fected." Dr. Hibbert, on the Tings of Orkney and Shetland, apud Archæolog., Scot. vol. iii., p. 171, where he quotes the law book of Norway. "Will a man sell his odal-land? Then shall he summon all the odal-born (his kindred) and notify to them that he is to sell such odal-land, making them the first offer, if they will buy, and have no impediment, such as the want of money, and the like; also, he shall proclaim, or cause to be proclaimed, in the public market, that he is to sell such odal-land, and shall again offer it to his own kindred, the odal-born, whether known or unknown; but first to those who stand in nearest degree of relation to him, whether male or female, that so the affair may come to their knowledge, even though they should not be there present."—[Ed.]

[b] MS. in possession of G. Petrie. [c] Ibid. [d] Ibid.

It has been remarked as a curious circumstance, that the Attestation by the Lawman of Orkney,[a] which is dated in 1438, should be conceived in the Scottish language at a period thirty years before the transference of Orkney to the Scottish dominion, but it doubtless had happened that Scotch colonization had been gradually leavening the Norse element for some time previous to this event.

It may be well to refer at this place to No. XVIII. of the "Miscellaneous Charters and Contracts"[b] printed from the Panmure Transcript, as bearing on a point of Orkney history. The document, which is dated 10th Nov., 1422, bears to be an attestation by the Lawman of Orkney, two canons of the Church of St. Magnus, and four burgesses of Kirkwall of the descent and good name of James of Cragy, laird of Hupe. It is there set forth that the said James of Cragy was married to Margaret, daughter of Elizabeth of Stratherne, by Henry Sinclair, sometime Earl of Orkney, and that the said Elizabeth was a daughter of the late Malise of Stratherne, formerly Earl of Orkney.

About twenty-four years after the date of this Instrument there was prepared a "Diploma, or Deduction, concerning the genealogies of the ancient Counts of Orkney, from their first creation to the fifteenth century, drawn up from the most authentic records by Thomas, Bishop of Orkney, with the assistance of his clergy and others, in consequence of an order from Eric, King of Denmark, to investigate the right of William Sinclair to the Earldom."[c] In this Diploma it is stated that Malise, Earl of Stratherne, succeeded to the Earldoms of Orkney and Shetland as lawful heir, apparently

[a] p. 391. [b] p. 257.

[c] The Diploma is printed in the appendix to Barry's History of Orkney.

of his mother, Farther, that Malise first married a daughter of the Earl of Menteith, by whom he had a daughter, Matilda, who was married to Weiland [but more probably Robert] de Ard, the father of Alexander de Ard: That Alexander de Ard succeeded Earl Malise in the principal messuage of the Earldom of Caithness including the title, together with lands in Orkney, and that he disposed of the Earldom of Caithness to King Robert II. It is there also stated that Earl Malise took for his second wife a daughter of Hugh, Earl of Ross, by whom he had four daughters, of whom the eldest was married to Sir William Sinclair; the second to Uere Ginsill of Swethick; the third, with a certain person, "Gothurno le Spere," and the fourth died without heirs. Sir William Sinclair, it is added, had by his marriage with the eldest daughter a son, Sir Henry Sinclair, who made certain agreements with Haco, King of Norway, and enjoyed thereby the Earldom of Orkney.

The point of difference between the two Deeds arises thus: In the Diploma it is stated that it was Sir *William* Sinclair to whom one of the four daughters of Earl Malise de Stratherne, sometime Earl of Orkney, was married, while in the Attestation to James of Cragy it is stated, that Elizabeth, daughter of the said Malise, was married to Sir *Henry* Sinclair, also sometime Earl of Orkney. If this last statement is correct, it would then appear that Sir Henry's claim to the Earldom, when he obtained the title from King Haco, was in right of his *wife*, and not, as has been generally stated, in right of his *mother*.

The whole subject of the succession, however, is obscure, and it is difficult to adjust satisfactorily all the facts which have been ascertained from different sources.

The Attestation to James of Cragy also furnishes us with a Bishop of Orkney hitherto unnoticed. It appears, from various documents, that there was a Bishop John, in 1397, and the next prelate who is mentioned is Thomas de Tulloch, whom we find flourishing in 1422. The Attestation takes notice of a Bishop Patrick, who must have come to the See between the above Bishops, John and Thomas; and it refers to his canonical title, and the many disturbances and injuries which he suffered during his incumbency, in all which he received the firm support of James of Cragy.

No. VI. is a curious missive to Torquil M'Leod from Queen Mary, dated at Inverary, 23d July, 1563. By it, after referring to a report, that "sum of the Ilis ar desirous to haue you allyat to thame be mareage;" she adds, "and becaus ye haue that honor to be of the Stewarth blude, we thocht expedient to gif you advertisment that it is our will and plesheur that ye allyat yourself to na party in mareage without our advyss, and quhill we declair our opinioun and mynd to yourself thairin."[a]

The following statement by Gregory, in his "History of the Western Highlands and Isles"[b] serves to explain the relationship which gave to Torquil M'Leod a tincture of the "Stewarth blude," as well as his share in the stormy fortunes and early death which distinguished so many members of that Royal House. "Roderick of Ruari Macleod, the Baron of Lewis, and heir male of his ancient house, was first married to Janet, daughter of John M'Kenzie of Kintail. The alleged issue of this marriage was a son, Torquil,—afterwards, from his residence among his mother's relations in Strathconnan, surnamed *Connanach*. The Lady of

[a] The letter is given in fac simile.
[b] pp. 209-10.

Lewis, however, having eloped with John M'Gillechallum of Rasay, chieftain of a powerful branch of the Siol Torquil, was divorced by her husband, who, at the same time, disowned and disinherited Torquil Connanach, alleging that the latter was not his son, but the son of the Breve or Celtic Judge of the Lewis. Ruari Macleod married secondly, in 1541, Barbara Stewart, daughter of Andrew Lord Avondale, and by this lady had a son, likewise named Torquil, and surnamed *Oighre*, or the Heir, to distinguish him from Torquil *Connanach*. The latter being supported by the Mackenzies, a feud between the two clans was the result. Nor did the quarrel thus begun end, but with the total destruction of the family of Lewis. Sometime in or before the year 1566, Torquil Oighre, a young chief of great promise, was, with many of his attendants, drowned in a tempest when sailing from Lewis to Sky. As he left no male issue, this event gave fresh spirit to the supporters of Torquil Connanach and to that individual himself, who had now married a daughter of the Laird Glengarry." The letter of Queen Mary must have been addressed to Torquil Oighre shortly before his death.

Statutes and Laws of the Grammar School of Aberdeen—1553.

These Rules occur in a volume in the Library of King's College, containing several Treatises on Grammar, by John Vaus, the first Professor of Humanity in that seminary, of which the first is "In

Primam Doctrinalis Alexandrini de nominum ac verborum declinationibus atque formationibus partem, ab Jodoco Badio Ascensio recognitam, Magistri Joannis Vaus, natione Scoti et percelebris Abredonensium Academie Grammatici, Commentarii; ab eodem Ascensio itidem recogniti atque impressi. Paris, MDXXII." The second is the Rudiments of the Art of Grammar, by Mr. John Vaus, printed at Paris in 1553.[a] At the end of it are the "Statutes," now printed, followed by a Letter from Alexander Skeyne—"Juventuti Abredonensi Grammaticis studiosæ," dated Paris, 15 kalend Julii, 1553, and the following Hexastichon by Ferrerius:—

Sint procul ambages, manibusque teratur ubique,
Iste liber, format qui bene Grammaticum
Theiophilus noster præclari muneris author,
Ista suis pueris scripsit Aberdouiæ.
Vausius hœc primum dederat, vestigia ponè,
Theiophilus sequitur: doctus uterque. Vale.

The last Treatise is entitled, "Cicero Poeta etiam elegans, nedum ineptus Fuisse, contra vulgatam Grammatistarum opinionem asseritur; inibique versiculus ille cantatissimus:—

O fortunatam natam me Consule Romam diligenter, expensus,

Joanne Ferrerio, Pedemontano authore. Parisiis, ex officina Michaelis Vaxosani, MDXL."

The Statutes give us a lively picture of the rules adopted in carrying on a classical school three centuries ago. It appears that the scholars were forbidden to speak to each other in the vernacu-

[a] Rudimenta Artis Grammaticæ, per Jo. Vaus Scotum selecta, et in duo divisa.—Prima pars dat literarum, syllabarum et dictionem prima libamina partim latine, partim vulgi lignæ tradita. Secunda docet usum dictionum ad orationes congruas statuendas, secundum septendecim congruitatis formulas: unde omnis grammaticæ artis oratio dependet. Parisiis, ex officina Roberti Masselin, 1553.

lar, but all were to speak in the Latin, Greek, Hebrew, French, or Irish tongues.[a]

The Editor takes this opportunity of returning his thanks for the readiness with which he has been allowed the use of records and documents, both by public bodies and private individuals, in the preparation of the volume; and he cannot doubt that the Members will join with him in recognising and acknowledging the favour conferred on the Club, by Mr. Chalmers and Mr. Robertson, for the valuable papers contributed by them, in illustration of some of the documents in the present volume, and which are printed as an Appendix to the Preface.

JOHN STUART.

Aberdeen, *November*, 1852.

[a] p. 400.

APPENDIX TO PREFACE.

APPENDIX TO PREFACE.

No. I.

REMARKS ON THE LAW OF THE BURGHS CONCERNING DELIVERY OF LANDS WITHIN BURGH.

By P. CHALMERS, Esq. of Aldbar.

"Per illam legem burgorum per quam dicitur," &c. In accordance with that law of the Burghs, by which it is said, "let delivery of lands in Burghs be made with charters and outcry," "cum cartis et clamore."

These words are not found in any of the 'Leges Burgorum' of Scotland; and, therefore, we must look elsewhere for their explanation. These Burgh laws, however, by no means afford a complete code of Scotch burgal law, even as it existed at the date of their compilation; perhaps this collection may be more in the nature of rules of law and practice, deduced from decisions of the court of Four Burghs on questions arising before it, together with additions and alterations suggested by experience, or rendered necessary by increasing extent and complexity of transactions; drawing largely too from England and France, the substratum being the common law, of which there was probably no written text in any of the countries.

But the explanation of the words in question may perhaps be found in "La clameur des Lignagers" of the consuetudinary law of Normandy. This custom is supposed by Houard,* who illustrated the Norman Law by that of England and Scotland, to have arisen in the 12th century, to meet the inconvenience that must have flowed from the inalienability of Burgal land and heritage (heirship), which could only be sold on proof of extreme poverty, if, indeed, it could have been

* Dictionnaire de Droit Normand, sub voce; and Anciennes Loix des Francois, tome 1er, p. 256, et passim. 4to, Rouen, 1779.

sold at all before that date. In heritage were included the principal tools used in the trade of a burgess, and certain articles of his household furniture; the buildings on the land of a burgess were generally laid out to suit the wants of his particular calling, and as this calling was usually (if not necessarily, by law) hereditary, descending from father to son, and as his family was bound to support him in sickness, in poverty, and in old age, so the law provided that the land and heritage should not be alienated from the family; and, therefore, gave to this the right, up to the seventh degree of kindred inclusive, to reclaim, from a purchaser, that land or heritage if sold. If there were no limit in time, as there seems to have been none, to the exercise of this right, it followed that no purchaser could be assured of a valid title to his purchase. The 'clameur des Lignagers' met this by providing, that a burgess desiring to sell his land or heritage, should give notice of his intention to do so at three successive 'placita' or courts of the Burgh, held at intervals of fifteen days; and, having proved extreme poverty,* should call his kindred (lignagers) to appear for their interest, and should offer the property to them. If no objections were made, the court named a day for the sale, to which the kindred were cited; the sale was made in the presence of the Mayor or the chief Magistrate, along with twelve notable men or councillors† (échevins) specially summoned; the proceedings at the three courts were recited, proof being given that the notices of sale, and offers of the property to the kindred, had been duly made; the property was again offered to the kindred, and if no claimant appeared, the sale was made and proclaimed. If the sale so made were not challenged within year and day, by one having right, the purchaser's title was completed, and could not afterwards be disturbed by the kindred, except on proof of fraud or collusion in the sale. In Winchester there seems to have been a special seal‡ with which charters of feofment were sealed, or countersealed, by the Alderman (in whose custody they had remained) on expiry of year and day without challenge, and after three days notice given.

There can be little doubt that the right of reclamation and redemption by kindred, was common to the Burgh laws of England and Scotland, as well as of Normandy; but Houard is of opinion that it did not exist in any of them before the 12th century, because it is not found in the laws of William the Conqueror,

* In Scotland, proof of poverty was not required in the sale of conquest land in burgh; the offer to the kindred was sufficient in this case; but it is probable that the exception was made at a later date.

† In Normandy, twelve councillors (échevins); but in Scotland they seem to have been twelve neighbours, four from either side of the tenement, and four dwelling opposite to it: at least, these are required for preliminary proof of poverty, without which there could be no sale. Leg. Burg. c. xi., Skene; cvii. apud Acta Parl. (Thomson's Acts.) See also the latter, App. v., p. 356, "De saysina in burgo," according to the law and assise of King David, A.D. 1169; but David died in 1153 William came to the throne in 1165; the Scots version omits the year.

‡ Archæological Journal, No. 33, pp. 80, 89, where there is a drawing of the seal.

nor in the law of Normandy of his time, the only 'retraits' traceable then being 'le feodal' and 'le conventionnel,' but he finds traces of it in the laws of the Scotch Burghs,* compiled at a later date. On this supposition, burgage land would, before the 12th century, have, on alienation, escheated to the King, under la clameur feodale, or to the community as holding intermediately between the king and the individual burgesses; probably to the former, because the rents of the perticates (parvi redditus)† were paid to him.

The mode of proceeding in clameur des lignagers, simple at first, and without writing, as is shown‡ in the provision for proof in case of the death of all who had been present, gradually came to be encumbered with the formalities of charters, precepts of sasine, notarial instruments, and minute observances, varying with the particular circumstances of the transaction, and eventually, perhaps, took the shape of the well-known forms of later times. Is it too much to suppose that we see, in the present case, the law or practice in a state of transition, when the two modes of transferring land in Burghs may have co-existed, one before an assize, without writing, the other still retaining the presence of the assize, as essential to the validity of transfer, but accompanied with the delivery of a written charter in its presence, "cum cartis et clamore in traditione terrarum in burgis."

The claim itself, which has given occasion to these remarks, is one of redemption by next of kin, but is encumbered with specialties. Stripped of these it is as follows:—A, claiming to be heir of B, asserts her right to a tenement of land of which C is in possession in security for a sum of money lent to B; C's only title being corporeal institution, following on a personal (?) bond (literas obligatorias). To avoid litigation, C agrees to pay a certain sum to A, on condition that she conveys to him all right that she has, or pretends to, in the tenement in question. In order that A may carry out this agreement, it is necessary that she should prove her burgess descent, and that she is of lawful age (15 years) according to the Burgh laws of Scotland, to enable her to sell the lands. Also, that she should offer the tenement to her next of kin, at three several courts (placita) of the Burgh, held at intervals of fifteen days. Here D and E appear, claiming to be of kin.

* Leg. Burg. Skene, cap. ix, xi, xxiii, xlv, xcvi, c, cxxvii. See also clep, a call, a form of claim in criminal causes—Skene de Verborum Significatione. Also, the second statutes of King Robert the First, chap. xx, 7, "*Item*, it is to wit, that this is the forme in dischargeing of poynds, that the debtour sall have his cattell poynded, or anie other poynd restored to him, and the probation readie at hand, with *clep* and *call*," (clamore.)—Regiam Majestatem, Skene. Translation, Reprint, Edin. 1774, p. 363.

† The parvi redditus were payable to the King, and each burgess owed the King such suit and service as was due from a perticate of land; but as a burgess could obtain possession of land within burgh without a writ from the King's Chancery, but on institution by the bailie of the burgh, it may be inferred that the community held intermediately between the King and the individual burgess. These parvi redditus were compounded for in the reign of David II. for a certain annual sum, fixed for ever, payable by the burgh.

‡ Leg. Burg. cxxvii, Skene.

It is found that D is not of kin of the blood; but E is declared to be A's next of kin, and being offered the tenement on condition of paying to C the money he had lent upon it, together with that he had agreed to pay to A (and, also, to take the burden of her support during life, if he should take the property?) renounces all right or claim. None other of kin appearing, A demands that C shall be put in possession, in terms of her charter granted to him. On this, the Bailies rise in court and proceed along with the assize to the tenement, and there, causing the charter to be read, sasine is given to C in the usual form, in presence of the assise, "vicinitate congregata testante." A then delivers her charter to C, (putting an end to the process of litigation,) according to that law of the Burghs, by which it is said, "cum cartis et clamore in traditione terrarum in burgis," with charters and outery in delivery of lands in burghs.

C then offers to E, as next of kin to A, the option of redeeming the land on repayment within one year of the sums he had paid to B and A.

In the Register of the Bishoprie of Glasgow, there are two instances of the offer to kindred of burgal tenements within the Bishops Burgh, previous to sale, thus confirmatory, so far, of the statement that the great lords, ecclesiastic and lay, speedily followed the King's example in extending the privileges of their burgesses; for Houard holds that this droit des lignagers does not belong to burgage tenure proper, but is a privilege granted to burgesses, distinguishing between burgage tenure and burgess rights (bourgage et bourgeoisie), a want of attention to which distinction had, he says, led the reformers of the Norman law into much confusion.

These Glasgow charters* are found under the reigns of Alexander III., and Queen Margaret, being of earlier date than the present case. In both instances the sale is preceded by proof of poverty on the testimony of credible and *sufficient* men (of burgess rank?) and is made with the express consent of the seller's next heir. In the first it is probable that the intention to sell had been opposed by some party, for the offer of the lands to the next relations and friends (propinquioribus parentibus meis et amicis†) is made in the court of Glasgow at the three principal placita (head courts of the Burgh) of the year, as well as at other placita according to the law and custom of the Burgh. Sasine is given in presence of the Provosts and Bailies of Glasgow, and of twelve burgesses, and others of the said city. In the second case, the sale follows the third offering in three courts (placitis) of the Burgh, "ut moris est," and the seller and his heir bind themselves by oath, and bind their heirs, to pay a penalty of one hundred shillings sterling

* Reg. Ep. Glasguensis, pp. 197, 198. Ban. and Maitland Clubs' Book.

† In Scotland, the word friend implies kindred or affinity in the person spoken of; a near friend is a near relation or connexion.

towards the repair of the Church of Glasgow, (fabricæ ecclesiæ) if they shall attempt to set aside the sale.

Do we see our upset price and sale by roup in this offering of property to the kindred of the seller? The primary meaning of roup is, to shout, to cry aloud, and Cotgrave translates the French "vendre a l'encant" by "to sell by Port-sale, or out-rope," and "Incant as Encant; an out-crie of goods." Outcry is still used in some parts of England and Ireland in this sense, as is uit-roepen in some of the northern languages. Uitroep in Dutch, proclamation, publication; "Jets bij openbaaren uitroep verkoopen," to sell anything by public sale.

(Lois des François. Tom 1.)

"Dans les Loix de Guillaume le Conquerant, on ne voit d' autre Retrait admis que le féodal ou le conventionnel. On peut donc assurer que le lignager n' existoit point de son temps en France ni en Normandie. En effet, quoique Charlemagne eût defendu, par la Loi des Saxons, d' aliener son bien avant de l' avoir offert à ses proches; ni ses Capitulaires, ni les loix de ses Successeurs ne contiennent rien qui ait rapport au droit de Retrait. Marculphe même, dans differentes Formules, dispense de la tradition des parens pour la validité des donations. Mais en consultant les Loix des Bourgs d' Ecosse, lesquelles ont été tirées du Droit Coutumier Anglois, il me paroit qu' on peu fixer l' époque et determiner le motif de l' usage du Retrait lignager, tel que nous pratiquons encore. L' etablissement des bourgeoisies a en pour bût, en France comme en Angleterre, d' étendre le commerce, d' affoiblir l' autorité des Seigneurs. Il convenoit donc que les possessions fussent, dans les Villes, plus stables et plus indépendantes que celles que les Seigneurs donnoient en Fief. Les fonds qu' un pere de famille acquéroit dans la ville où il avoit obtenu le droit de Bourgeoisie, étoient batis et distribués selon les besoins de la profession qu' il exerçoit. Perpétuer ces fonds dans les familles, c' étoit conséquemment le moyen le plus sûr d' engager ceux qui la composoient à se livrer tous au même genre de travail; et comme, par une suite de cette idée, un Bourgeois ne pouvoit disposer de son mobilier, sans reserver á ses heritier ou à ses enfans, les principaux outils et ustensiles de son métier et du ménage; de même, il n' avoit la liberté d' aliener sa maison que dans le cas de nécessité, et lorsqu' aucun de ses parens ne vouloit lui procurer la subsistance et l' entretien. La loi du Retrait est donc une loi de Bourgage dans les pays coutumiers de France, et en particulier dans la Normandie, et à proportion de ce que les Villes se sont multipliées dans une une Province, cette loi a dû avoir plus de vogue."

Anciennes Loix des François, conservées dans les Coutumes Anglaises, recuillies par Littleton, &c. Par M. Houard, Avocat au Parlement, &c. &c. Tome premier, p. 256, 4to, Rouen, 1779.

Dictionnaire de la Coutume de Normandie.

"Nous avons cru devoir distinguer les clameurs d' avec les *retraits*, et sous ce dernier mot, traiter des retraits faits de biens échus aux possesseurs par succession sous celui de

clameur, il ne sera donc parlé que du droit qu' ont les Seigneurs on les lignagers d' exproprier un possesseur de fonds ou de rentes qu' il a acheté.

L' origine des clameurs prises en ce dernier sens doit être fixée au douzieme siecle ; ce fut alors que les Bourgeoisies des Villes s' établirent, pour accréditer cet établissement, si propre à affoiblir l' autorité des Seigneurs, il convenoit que les possessions fussent dans les Villes affranchies du vasselage, et plus stables, et plus indépendantes qu' elles ne l' étoient dans les Seigneuries. De là les fonds qu' un pere de famille acquérait dans une Ville, devant passer à ses enfants qui ordinairement exerceient sa meme profession, etoient bâtis et distribués selon les besoins de cette profession ; et il étoit de l' équité que le Bourgeois n' en disposât pas, ni de ses principaux outils en faveur d' étrangers sans necessité, et tant que ses enfants ne lui refusoient point les besoins et les commodités de la vie.

Quand les Seigneurs, a l' instar des Souverains, eurent établis des bourgeoisies dans leurs terres, pour prévenir la totale émigration de leurs vassaux, ils admirent aussi la clameur on revendication des alienations en faveur des parents de leurs hommes, et ils ne se réserverent le retour des fonds vendus qu' a défaut des lignagers qui en reprissent la possession ; les formalités des clameurs pour les lignagers etoient extrémement simples.

Le proprietaire declaroit dans trois plaids successifs du Bourg ou de la Ville où les fonds étoient assis, plaids que se tenoient de 15 jours en 15 jours, qu' il étoit déterminé à vendre ; il faisoit sommer ses parents de s'y trouver ; s' ils ne comparoissoient pas, la vente s' effectuoit, l' acquereur entroit en possession en présence de douze Echevins et du juge majeur ou Maire, et après l' an et jour expiré, sa propriété étoit à l' abri de toute réclamation. Si, postérieurement à ce délai, quelque parent troubloit l' acquereur, il étoit obligé d' etablir la fraude : par exemple que l' héritage n' avoit pas été légalement proposé à la famille.

On ne distinguoit donc alors que deux sortes des clameurs, la lignagère et la féodale. Depuis se sont introduites celles à droit conventionel et a droit de lettre lue."

Houard, Dictionnaire de la Coutume de Normandie. Tom 1. p. 242, 4to, Rouen, 1780.

In illustration of the right of reclamation by kindred, I may mention that in conversation with a member of the Odelsthing of Norway, some years ago, I was told that the Odel lands in that country might, if sold, be reclaimed from the purchaser or his successors by any of the kindred of the seller, whether through male or female line, (heirs whatsoever) at any time on repayment of the original purchase money, so that the more such lands were improved, the greater became the temptation to the kindred of the seller to reclaim them. He himself had known lands to be so reclaimed after having been held by descendants of the purchaser through several generations. Attempts had been made in the Storthing to open such lands to commerce, but, up to that time, without success. A purchaser who was of kin to the seller might, however, obtain a valid title ; probably by some such proceeding as we see in this case. Instances of sale of Odal lands in Orkney and Shetland, may be seen in the printed collection of "Deeds relating to

Orkney and Zetland, 1433 to 1581." Number XIII. of that collection is a charter of Opgestrie in which a woman and her husband make choice of certain of their bairns in whose favour they resign their lands, on condition of their receiving maintenance for life. Opgestrie* was the resiguation or transfer of Odal lands to one's kindred, on condition of being lodged, fed, clothed, and otherwise taken care of during life.

Much light may probably be thrown on the ancient burgh or town (villa) laws of Europe by a careful study of the laws and customs of the village communities still subsisting in India, some of which societies bear so close a resemblance to those of our Saxon ancestors as to make it certain that their laws are derived from a common origin. It is to be hoped that Mr. Campbell, who has lately given us such interesting information on the subject, may be induced to treat it more fully than he had occasion to do in his recent publication†; showing in what parts of India the system exists in its greatest purity, and its modifications in different parts of that wide country, and making patent to the public some of the hidden knowledge contained in '*Blue-books*.'

It is necessary that I should apologise for having ventured at all upon the foregoing remarks on a subject with which I have so little acquaintance.—P. C.

* See Hibbert's account of Orkney and Shetland, &c.

† Modern India: a Sketch of the System of Civil Government. By George Campbell, Esq. Bengal Civil Service. London, 1852.

ON SCHOLASTIC OFFICES IN THE SCOTTISH CHURCH IN THE TWELFTH AND THIRTEENTH CENTURIES.

It is proposed to show, by the incidental light of contemporary charter and chronicle, that three offices or grades of a scholastic kind—the Scoloc, the Master of the Schools, and the Ferleiginn—obtained in the ancient Scottish Church, and survived the great civil and ecclesiastical revolution which was begun by St. Margaret, and followed out, but not completed, by the three Kings, her sons.

I. The Scoloc.

The lowest order was that of the Scoloc. We are happily not left to conjecture the meaning of the name. A writer of the twelfth century, Reginald of Durham, sometimes also called Reginald of Coldingham, takes occasion, in his lively 'Book of the Miracles of St. Cuthbert,' to relate certain incidents which befel the famous St. Aelred of Rievaux, in the year 1164, during a journey into Pictland—that is, Galloway, it would seem, or perhaps, more generally, the provinces of Scotland lying to the south of the Forth and the Clyde. The saintly Abbot happened to be at 'Cuthbrictis Khirche,' or Kirkcudbright, as it is now called, on the feast-day of its great patron. A bull, the marvel of the parish for his strength and ferocity, was dragged to the church, bound with cords, to be offered as an alms and oblation to St. Cuthbert. 'The clerks of the church,' says Reginald, 'the Scolofthes, as they are called in the Pictish speech,'* irreverently proposed that the bull should be baited in the churchyard. It was in vain that the elder and wiser of their number remonstrated against the profanity. 'There is no Cuthbert here,' was the scoffing

* The words of the original are: 'clerici illi, qui in ecclesia illa commorantur, qui Pictorum lingua Scolleofthes cognominantur.' If Reginald of Durham had chanced to be disinterred before the Pictish controversy wore itself out, these words might have become as famous as the passage in Bede, 'qui sermone Pictorum Peanfahel appellatur,' which led to the memorable strife between Sir Arthur Wardour and the Laird of Monkbarns.

answer, 'nor is this a place to show his power, for all his stone chapel.' With this the speaker unbound the bull, and began to bait him with the rest. The sequel need scarcely be told. The bull broke loose, and rushed upon his assailants, but hurt no one 'except only the scholar aforesaid *(praedictum scolasticum solummodo)*.' This would be enough of itself to show that Reginald, or his informant, St. Aelred, understood 'the clerks' or 'scollofthes' of Kirkcudbright, to be 'scholars.' But, as if to place his meaning beyond doubt, he inscribes the chapter with the rubric 'Of a certain Pictish scholar *(de scholastico quodam Pictorum)*, who rashly broke the peace of St. Cuthbert's cemetery, by a bull-bait upon St. Cuthbert's day; and of the retribution which befel him.'*

The use of 'scholar' or 'scholasticus' in the sense of an ecclesiastical 'clerk,' was by no means peculiar to Scotland. Du Cange has collected abundant instances of such a meaning. 'Scholars in country churches *(scholares in ecclesiis ruralibus)*', he says, 'were commonly called clerks *(clerici)*.' 'Clerks *(clerici)* were vulgarly styled scholars *(scholares)*.' He quotes a capitulary of Charlemagne to show their office. 'Let priests have their scholars *(scholarios)* so trained and taught,' was the injunction of the great restorer of letters in the west, 'that when accident hinders their own presence in the church at Tierce, Sext, Nones, or Vespers, their scholars *(ipsi scholarii)* may sound the bell and perform the service.' The Norman chronicler of the eleventh century, Dudon de Saint Quentin, writes: 'The scholars *(scholastici)* babble as they bear the candlesticks and crosses before the canons.'† Our Scotch 'scoloc' had probably nothing peculiar but the form into which his name was corrupted. There is ample evidence that 'scoloc' and 'scholar' were convertible terms.

Ellon was of old the capital of the earldom of Buchan. Here, on a green mount rising from the bank of the Ythan, those ancient Earls administered justice, received the homage of their liegemen, and took investiture of their great fief.‡ The parish

* Reginaldi Dunelmensis Libellus de Admirandis Beati Cuthberti Virtutibus, cap. lxxxv., p. 179. Lond. 1835. (Surtees Soc.)

The editor—the Reverend James Raine, I believe, the admirable author of 'The History of North Durham,' a work of invaluable use to the Scottish antiquary,—in his glossary (p. 335), explains 'scollofthes' as 'the Pictish word for clerici, scholars, or students.'

We may infer that 'scoloc' was, in Reginald's time, sounded with a guttural *gh*, as if written 'scoloch' or 'scologh.' With most Englishmen at the present day, 'loch' becomes either 'lock' or 'loth.' We find even Scotsmen 'native and to the manner born,' like Hector Boece, transforming 'Bannockburn' into 'Bannafborn.' (Hect. Boet. Scot. Hist. lib. xiv. fol. 302. edit. Paris, 1575.)

† Du Cange, Glossar. in voce. 'scholares,' 'clerici,' 'scholares,' 'scholasticus.'

The Abbot of Cambuskenneth, writing in the beginning of the sixteenth century, records the contemporary endowment of a 'scholastic chaplain' *(scolasticum capellanum)* at Dunkeld. (Vit. Episcop. Dunkeld., p. 59.) The constitutions of Bishop Elphinstone of Aberdeen, in 1506, make provision 'ne calices asportentur extra chorum per seculares seu garsiones laicos aut scolares.' (Regist. Episcop. Aberd. vol. ii. p. 105.) In Bishop Kennedy's foundation charter of St. Salvator's College at St. Andrews, in 1458, we have 'sex erunt scholares sive clerici, sed pauperes.' (Rep. of Royal Commission on Scot. Univ., p. 387, evidence, vol. iii. p. 271.)

‡ Collect on Aberdeen and Banff, p. 408; Lord Hailes' Addit. Sutherland Case, pp. 61, 64; Inquisit. Special. vicecom. Aberd. nn. 139. 261, 293, 367, 497; New Statist. Acc. Scot. (Aberd.) p. 903.

church, participating, as would seem to have been the custom,* in the metropolitan dignity of the place, appears to have had an endowment for the maintenance of four Scolocs. We first hear of them in the year 1265, when Gameline, Bishop of St. Andrew's, 'let his land of Ellon, in Buchan, which the Scolocs of Ellon hold *(quam Scoloci de Elon tenent),*' in lease to Alexander Cumyn, Earl of Buchan, for a yearly rent of two marks of silver. The Earl bound himself to perform the military service due from the lands; to be leal and faithful to the Bishop and church of St. Andrew's; and, at the expiry of the lease, which was for three lives, to restore the land to the See, 'by its right marches, with all its appurtenances, as the Scolocs now hold it *(sicut Scoloci eam nunc tenent.)*'† More than a century afterwards, in the year 1387, the land which had been thus leased became the subject of an inquest, made at the parish church of Ellon, by Walter, Bishop of St. Andrew's, with consent of the Bishop of Aberdeen, the ordinary of the diocese. The 'good men and true of the country,' who were sworn of the inquest, declared 'that the church lands of Ellon, which are called the Scolog lands, are of the yearly value of fifteen pounds thirteen shillings and four pence sterling, and were worth of old twenty pounds, and there are due from them, to the Lord Bishop of St. Andrew's, the over-lord, sixteen shillings yearly;' that the Bishop may put bailifs in the lands at his pleasure, who may hold courts, at which all the folk of the land are bound to appear, suits there to follow or defend, and judgement to undergo, as of right and use is: 'that custom was, that the heir of any Scolog deceased *('Scologi defuncti,' 'Scolagii defuncti')* should be entered in his heritage by the bailif of the lands, without letter of inquest from the over-lord'——'But hereupon,' says the record, 'in face of the witnesses, after their declaration of inquest, Dame Anabel of Liddel, one of the tenants of the lands aforesaid, being there personally present, affirmed that she had entered into her land, being a portion of the lands aforesaid, by letter of inquest, and had given a seisin ox, after the

* Thus, at Muthill, the capital of the Earldom of Stratherne, there was a Priory of Keldees. (Carte Monialium de Northberwic, pp. 7, 12; Crawford's Officers of State, p. 6; Palgrave's Illust. Hist. Scot. vol. i. p. 320; Liber Insule Missarum, p. xxxvii.; Regist. Episcop. Moraviens. pp. 469, 470.) The 'shomys,' or chief messuage of the Earldom of Menteith, was at Inch-Ma-Colmock, or St. Colmock's Isle, a religious seat of unascertained antiquity. (Riddell's Inq. into Scotch Peerage Law, vol. ii. pp. 990–1002.) The capital of the Earldom of Athol was at Rait, and the charter of the Bishop of Dunkeld, which confirms the place to the Canons of Scone, takes care to record the fact: 'Rath que est caput comitatus.' (Lib. Eccl. S. Trinitat. de Scon, p. 35.) The first monastic foundation, of the reformed order, made in Albany or proper Scotland, was at Scone, 'in principali sede regni nostri,' says the charter of the Maiden King, who, next to the royal founder, was its chief benefactor. (Lib. Ecc. S. Trinit. de Scon, p. 5.)

† Collections on the Shires of Aberdeen and Banff. pp. 311, 312.

The 'land of Helen which Slothagth held' appears in the possession of the See of St. Andrews, in the end of the twelfth century. (Regist. Priorat. S. Andree, p. 59.) Bishop Richard granted it to the canons, in exchange for Portmoak, by the name of 'Helin terram scilicet Sluthagh.' (*Id.* p. 140.) The grant was confirmed by Bishop Hugh, whose charter writes 'et Elin quam Sluthadi tenuit;' and by Bishop Roger, who describes it as 'terram Elin quam Sholah tenuit.' (*Id.* pp. 146, 152.) But it may be doubted, perhaps, if there be sufficient evidence of the identity of this Elin with Ellon in Buchan.

manner of the country, which ox one there present affirmed that he had received; and the Lord Bishop protested that he was then in possession of this right, namely, that the heir of every Scolog *('cujuslibet Scolgi,' 'cuiuslibet Scolagij.')* should enter to his heritage by inquest and seisin thereupon following, after the manner and common use of the realm.'* After this interruption, the record bears that the men of inquest declared that the quarter, or fourth part of the lands aforesaid, which had belonged to the deceased Megot, daughter of the deceased David of Ferley, were now in the Bishop's hands, by reason of the non-presentation of an heir; 'that, from the lands aforesaid, there are to be found, for the parish church of Ellon, four clerks *(clerici)* with copes and surplices, able to read and sing sufficiently; that the quarter, or fourth part of Easter Ellon, is bound to find a house for the scholars *(pro scolaribus)* at Ellon; that the quarter, or fourth part of Candellan is bound, twice in every year, to find twenty-four wax candles for 'the park' or 'perk,'† before the high altar; and that the quarter, or fourth part of Ferley aforesaid, is bound to find a smithy *(fabrinam)* at Ellon.'

The inquest, which has been thus recited, reaches us in two copies, the one derived from the Great Register of the Archbishopric of St. Andrew's,‡ the other engrossed in the Red Book of the Bishopric of Aberdeen.§ One point of difference between them is instructive, as proving the identity of 'Scoloc' and 'Scholar.' Where the scribe of St. Andrew's writes 'the church lands of Ellon, called the *Scolog* lands,' his brother of Aberdeen has 'the church lands of Ellon, called the *Scholar* lands.' Nor is this a mere clerical error or unauthorised freedom. The conveyances of the lands which remain in the charter-room at Ellon, show that the popular speech of the fifteenth and sixteenth centuries had transformed 'Scolog' into 'Scholar.' Thus, in 1472-3, Symon Bannerman of Elsick sells to Gilbert Hay, the son of the Knight of Dronlaw, his eighth part of the lands of Argeith, held in chief of his Lord of St. Andrew's, and 'lying in the *schoolry* of Ellon *(in scoluria de Ellon)*' binding himself to free the purchaser 'of all secular service, exaction, or demand, due from the lands, either to the over-lord or to the

* On the point which seems to have been here in dispute, reference may be made to the Regist. Episcop. Morav., p. 379.

† The words of the record are 'snper *lie* park coram magno altari.' In Dr. Jamieson's Scottish Dictionary, we have 'park' for a pole or perch, with an instance of its use in that sense from Bishop Gawain Douglas' translation of the Æneid. The 'Glossary of Architecture' gives 'perch, perk, and pearch' as 'an old name sometimes given to a bracket or corbel,' and adds that 'the large wax candles used in Roman Catholic churches were formerly sometimes called pearches.' Carpentier explains 'parchia' as 'trabecula in aedibus sacris ubi cerei accenduntur. He gives 'pertica' with much the same meaning. (Glossarium, vol. iii. coll. 171, 256.)

It is to be observed that the word which is written '*lie* park' in the copy of the Ellon inquest, taken from the St. Andrews' Register, is written '*le* perk' in the copy preserved in the Aberdeen Register.

‡ Collections on the Shires of Aberdeen and Banff, pp. 310, 311.

§ Registrum Episcopatus Aberdonensis, vol. i. pp. 177, 178.

church of Ellon.' The same description of 'in scolaria de Ellon' is repeated in a charter of 1506, and in precepts of clare constat of 1556 and 1562,* the older designation of 'the Scoloe lands' having now, it would seem, become obsolete.

Looking to the Ellon inquest of 1387, it would seem that the lands, originally set apart for the maintenance of the 'Scoloes,' had undergone much the same fate with the possessions of so many greater religious foundations in Scotland. Take, for example, the ancient abbeys of Abernethy and Brechin, as we see them in the charters of the twelfth and thirteenth centuries.† Their endowments had been divided into two parts. The larger and better portion, together with the name of Abbot, had been usurped by laymen, who transmitted the benefice and title as a heritage to their children. What remained, with the name of Prior, was possessed by ecclesiastics, who discharged, probably perfunctorily enough, the duties, for the performance of which the whole revenues had been originally assigned by the founders. Such was the condition into which most, or all of the ancient monasteries of Scotland had fallen before the twelfth century.‡ The same kind of abuse

* Deeds in the Ellon Charter Chest.

† Most of the deeds necessary to understand the state both of Abernethy and of Brechin will be found in the Registrum Vetus de Aberbrothoc.

‡ See the Quarterly Review, vol. lxxxv. no. clxix. pp. 117, 118. (June, 1849.)
The abuse which prevailed in our Scottish abbeys before the twelfth century may be illustrated by a few sentences from the passage in which the learned Deputy Keeper of the Records paints the great abuse of bestowing abbeys as lay-benefices, which obtained in France in the ninth century. 'We can best,' says Sir Francis Palgrave, 'exemplify the Carlovingian corruptions, by contemplating a great commander on Blenheim field. If you ascended the rock of Chiusa, and reached the mysterious tower of San' Michele, where you passed between the ranged corpses, stationed as warders of the portal, sculptured with zodiacal signs, and asked for the Abbot, the monks informed you that you would find him in Marlborough's camp: for it was as *Monseigneur l'Abbe de Savoie* that Prince Eugene made his earliest campaigns, he being at that time commendatory abbot of that and another of the most venerable monasteries of ancient Lombardy, situated in the district to which, from its position, the name of 'Piedmonte' was subsequently assigned. Such were the 'lay-abbots,' whom we have so often noticed, who held the most important monasteries in the Carlovingian Gauls—a motley groupe of stout soldiers, clever statesmen, delicate young princes, half-acknowledged husbands of princesses, or husbands fully declared, courtiers most in favour with the monarch, partizans who were to be conciliated by favours, or claimants who were to be satisfied—constituted the class who usually obtained these excellent pieces of preferment, which, in many respects, were more advantageous than any secular domain. Sometimes these abbots commendatory were in minor orders, but very frequently mere laymen, like those we have already noticed of Sithiu or Centulla. Outwardly the abbey did not appear to be changed. You heard of an abbot as you now do of the noble or reverend 'master' of this or that 'hospital,' realising the fines and rents, according to the valuations and currency of Queen Victoria, and staving off the 'brethren,' by tendering their stipends in the nominal pence of Plantagenet. The Count was not in the abbey, he might be fighting against the Northmen, or enjoying himself in the palace: truly, there was a prior presiding in the refectory, and the monks were chanting in the choir, but the real spirit of the institution was of course fleeting away.' (Hist. of Normandy and England, vol. i. pp. 184, 185.)
Sir Francis Palgrave was not the first to illustrate the condition of the 'lay-abbot' of the Dark Ages, by reference to the usage of more recent times. Sir Henry Spelman sums up the explanation of 'Abba Comes,' in his glossary, by an allusion to the contemporary practice in Scotland, as instanced in the well-known Edward Bruce, Abbot of Kinloss. Our 'Tulchan Bishops' might have furnished another case, not much less in point. But, indeed, examples are only too abundant. 'An idea,' says Mr. Riddell, 'had been fostered after the Reformation, that the acquisition of a dignified church patrimony placed the disponee in the shoes of his predecessors, and not only gave him, together with the lands, a seat and vote in Parliament, but also their style and dignity. This conclusion, which even prevailed in the seventeenth century, being practically indulged in, induced indi-

seems to have established itself, in many cases, in the humbler endowments of the village churches. One who was a layman, in all except his shaven crown, inherited the

rous results. . . . . Mere youths, and trafficking and abandoned laics, figured under the masquerade of 'holy and reverend fathers,' and in the imposing guise of Abbots, Priors, Commendators, having seat and vote in Parliament, Postulates, Provosts, Archpriests, Rectors, Parsons, with every epithet the most sacred and revered.' (Peerage and Consistorial Law of Scotland, vol. i. pp. 239, 240: Case of the Earl of Balcarres claiming the Earldom of Crawford, pp. 215, 216, 222.) He adduces an instance in which a lad of thirteen figures in legal record as Prior of Coldstream. Such boy ecclesiastics were not unknown before the Reformation. In the year 1550, we find the canonry of Mennuir, in the cathedral church of Dunkeld, held by a stripling of eighteen. He was the bastard of a canon of the same cathedral; and the Pope, while dispensing with his youth and spurious birth, specially forbade that he should say mass at the same altar with his father, or succeed him in his benefices. (Lib. Officialis S. Andree, pp. xxviii., xxix., xlviii., xlix.)

In the chief monasteries of Scotland and the north of England, during the eleventh century, a grosser abuse prevailed than any which seems to have existed among the Carlovingian abbeys. Not only was the Abbot's office in the hands of a layman, but the monks had become hereditary, marrying wives, and transmitting their monastic profession and benefice to their children. Let Symeon of Durham describe the degeneracy into which the brethren of St. Cuthbert had lapsed: 'Tradita sibi districtione paulatim postposita, ecclesiasticam disciplinam odio habuerunt remissioris vitae illecebras secuti . . . . . Seculariter itaque omnino viventes carni et sanguini inserviebant, filios et filias generantes: quorum posteri per successionem in ecclesia Dunelmensi fuerunt nimis remisse viventes, nec ullam nisi carnalem vitam quam ducebant scientes, nec scire volentes. Clerici vocabantur, sed nec habitu nec conversatione clericatum praetendebant; ordinem psalmorum in canendis horis secundum regulam Sancti Benedicti institutum tenuerunt, hoc solum a primis institutoribus Monachorum per paternam traditionem sibi transmissum servantes.' (Lib. de Exordio Dunhelmensis Ecclesiae, pp. 3, 4; Reginald. Dunelm. Lib. de Virt. S. Cuthberti, pp. 28, 29.) The strong arm of the Conqueror, and the reforming zeal of Pope Gregory VII., purged Durham of its hereditary clergy, 'nomen tantum Canonicorum habentes, sed in nullo Canonicorum regulam sequentes.' (Symeon. Lib. de Exord. Dun. Eccl., p. 224.) But they survived for nearly a century afterwards in the ecclesiastical capital of Scotland.

The 'Historia Beati Reguli,' written about the year 1144, shows us their condition: 'Sublatis vero a presenti vita Sanctis, qui cum reliquiis Beati Apostoli advenerant, et eorum discipulis atque imitatoribus, cultus ibi religiosus deperierat, sicut et gens barbara et inculta fuerat. Habebantur in ecclesia Sancti Andreae tredecim per successionem carnalem quos Keledeos appellant, qui secundum suam aestimationem et hominum traditionem, magis quam secundum sanctorum statuta patrum, vivebant. Sed et adhuc similiter vivunt, et quaedam habent communia pauciora scilicet et deteriora, quaedam vero propria plura scilicet et potiora. . . . Personae septem fuerunt obligationes altaris inter se dividentes, quarum septem portionum unam tantum habebat episcopus, et hospitale unam: quinque vero reliquae in quinque caeteros dividebantur, qui nullo omnino altari vel ecclesiae impendebant servitium, praeterquam peregrinos et hospites, cum plures quam sex adventarunt, more suo hospitio susciebant, sortem mittentes quis quos vel quot reciperet: hospitale sane semper sex, et infra, susciebat. . . . Personae autem supra memoratae redditus et possessiones proprias habebant; quas, cum e vita decederent, uxores eorum, quas publice tenebant, filii quoque vel filiae, propinqui vel generi, inter se dividebant, nihilominus et altaris oblationes, cui non deserviebant, quod puduisset dicere, si non libuisset eis facere. Nec potuit tantum auferri malum, usque ad tempus felicis memoriae Regis Alexandri.' (Pinkerton's Enquiry into Hist. of Scot., vol. i, pp. 462-464 edit. 1814; Sir Robert Sibbald's Hist. of Fife, pp. 176-181, edit. 1803.) Cf. Regist. Priorat. S. Andree, pp. 123, 125, 129, 152.

The lay abbot was common throughout Wales and Ireland, towards the end of the twelfth century. We have him painted by an eye-witness, who drew to the life. The lively Gerald de Barri thus describes what he saw at Llanbadarn-fawr, near Aberystwith, when he visited that ancient monastery, in the year 1188, in the train of Archbishop Baldwin, then preaching the Crusade: 'Notandum autem, quod haec ecclesia, sicut et aliae per Hiberniam et Walliam plures, Abbatem laicum habet. Usus enim inolevit et prava consuetudo, ut viri in parochia potentes, primo tanquam oeconomi seu potius ecclesiarum patroni et defensores a clero constituti: postea processu temporis aucta cupidine totum sibi jus usurparent: et terras omnes cum exteriore possessione sibi impudenter appropriarent: solum altaria cum decimis et obventionibus clero relinquentes: et haec ipsa filius suis clericis et cognatis assignantes. Tales itaque defensores seu potius ecclesiarum destructores Abbates se vocari fecere, et tam nomen indebitum quam rem quoque sibi assignari praesumpsere. In hoc statu ecclesiam hanc invenimus capite destitutam, veteri quodam et inveterato dierum malorum (cui nomen Eden Oen filius Gwaithvoed) se Abbatem gerentem, et filiis ejusdem altari incumbentibus. . . Jactat autem gens haec et generatio prava Episcopum quendam ecclesiae istius (quia cathedralis

parsonage, and was called the parson, leaving the spiritual duties to be discharged by a priest, who was paid for his services by the dues and oblations of his flock.* So also it appears to have been with the Scoloes. We see at Ellon that the Scoloe lands, divided into four parts, were inherited by as many laymen—the Scoloe's office in the church being performed by substitutes, whom the Scoloe lands were bound to provide.

'Scoloes' present themselves elsewhere in Scotland than at Kirkcudbright and at Ellon. They are found, at the close of the twelfth century, sharing the possessions of the church of Arbuthnott, in the Mearns. Here, as at Ellon, the lands which they occupied held of the See of St. Andrew's; and here, as at Ellon and at Kirkcudbright, the church in which they served would seem to have been had in more than common reverence. It was dedicated to St. Ternan, 'Archbishop of

aliquando fuerat) a decessoribus suis interemptum: et hac praecipue allegatione in loco eodem jus sibi vendicant et proprietatem. Elegimus itque has potius enormitates ad praesens sub dissimulatione transire, quam (nullo ibidem querimoniam deponente) gentem iniquam exasperare.' (Giraldus Cambrensis, Itiner. Cambriae, lib. ii, cap. iiii.)

The number of lay abbeys which remained in Scotland in the twelfth century, is sufficiently shown by the rubric of the little memorial of St. Rule, which has been more than once printed from the Colbertine MS.: 'Qualiter acciderit quod memoria S. Andreae Apostoli amplius in regione Pictorum quae nunc Scotia dicitur, quam in ceteris regionibus, sit: et quomodo contigerit quod tantae abbatiae ibi factae antiquitus fuerint, quas multi adhuc seculares viri jure hereditario possident.' (Pinkert., Enquir. Hist. Scot., vol. i, p. 498, edit. 1814.)

* Mr. Hallam refers to an instance of an hereditary parsonage in England, where it was found by an assize, in the year 1194, that there had been no presentation to the church, the parsons having held it from father to son. (Supplemental Notes to Hist. of Middle Ages, p. 193.)

The abuse was rank in Scotland. It seems not to have been until the reign of King Alexander I., (A.D. 1107—A.D. 1124), that the church's right of collation was established. The Prior of St. Serf's writes:—

> 'Than ordanyd wes als, that the Kyng,
> Na na lawyd patrowne, be staff na ryng,
> Suld mak fra thine collatyowne,
> Or suld gyve institutyowne
> Of byschaprykis, or abbasyis,
> Or ony kyrkis benefyis;
> Bot barly that the patrowne
> Suld gyve hys presentatyowne.'

(Wyntown, Cronykil of Scotland, book vi, cap. v; vol. i, p. 287.) This provision must have greatly restrained the evil; but it seems to have taken such root, that even in the diocese of Glasgow, certainly not the least civilised province of Scotland in that age, Pope Urban III., between the years 1185 and 1187, while he condemned the hereditary succession of the son to the father's church, permitted the Bishop, at his discretion, to overlook the irregularity: 'Preterea filios sacerdotum paternas ecclesias qui hereditario jure sibi vendicantes et eis contra statuta canonum et sancte ecclesie libertatem taliter incubantes, sublato appellationis obstaculo, ab ecclesiis in quibus patres eorum ante ipsos proximo ministrarunt, nostra fretus auctoritate removeas: nisi forte aliquem propter probatam honestatem et diutinam possessionem sub dissimulacione videris transeundum.' (Regist. Episcop. Glasg., vol. i, p. 59.)

The Scottish Church, even in the beginning of the thirteenth century, had to enact, by a solemn canon, that rectors of churches should be ordained: 'Item, irrefragabili constitutione sancimus ut rectores ecclesiarum ad primos ordines veniant ordinandi; ita quod quam cito fieri poterit commode ordinentur.' (Regist. Episcop. Aberd., vol. ii, p. 34.) The practice of the Irish Church, in the fifteenth and sixteenth centuries, may best illustrate this canon. In the diocese of Derry, we are told, parsonages were held for years by persons not in orders, and even when they were ordained, they did not perform divine service. Dr. Reeves has collected abundant instances from the dioceses of Armagh, Connor, and Dromore, of rectors of parishes being ordained deacons and sub-deacons.

the Picts,' and appears to have had some provision for chaplains, until the Reformation. When the light of record first breaks upon the banks of the Bervie water in the last days of St. David, or in the following reign of his grandson, the Maiden King, the manor of Arbuthnott is seen divided between the church and the crown. The primatial see of Albany, 'the bishoprie of the Scots,' as it still wrote its titles, had the advowson of the church, with the church land, or 'kirk town.' This ecclesiastical territory was held of the Bishop by certain 'tenants called parsons *(tenentes qui dicebantur persone)*'—laymen, it would seem, who had the name and revenues of the parson, but did not possess the sacerdotal function*—and who had sub-tenants under them, having houses of their own, and

(Primate Colton's Visitation, A.D. 1397, pp. 118, 119.) In Scotland, after a lapse of three or four centuries, the Reformation again brought round the cycle of lay parsons, as in the instance, which recent inquiries have made familiar, of Mr. John Lindsay, the hoy parson of Menmuir, Lochlee, and Lethnot. (Mr. Riddell's Crawford Case, pp. 215, 222; Lord Lindsay's Lives of the Lindsays, vol. i, p. 334.) Again, the ecclesiastical power had to struggle for the right of collation. It was not until the year 1592 that Parliament consented that 'all presentations to benefices be directed to the particular presbyteries, with full power to them to give collation thereupon.' (Act. Parl. Scot., vol. iii, p. 542.) The act which immediately follows this in the statute book is entitled, 'anent deposition of unqualified persons from their functions and benefices.'

Laymen long afterwards maintained hereditary possession of some of the minor ecclesiastical offices. Thus, in 1609, when the Bishops were formally restored to their consistorial jurisdiction, the 'heritable right of the commissariat within the bounds of Argyle' was specially reserved to the Earl of Argyle. (Act. Parl. Scot., vol. iv, pp. 430, 431.) The office of commissary, or judge of the ecclesiastical courts of Orkney, was, in the same way, hereditary in the Earls of Morton. (Inquisit. Special., vicecom. Orkney, no. 60.) The Earl of Eglinton, in 1661, was served heir to his father in the offices of clerk of the parish churches of Ardrossan, Dreghorne, Beith, Torbolton, Eastwood, and Eaglesham. (Inquisit. Special. vicecom. Ayr, no. 510; vicecom. Renfrew, no. 159.) The bell and alms of St. Kessog, 'campana et elemosina Sancti Kossagii,' had been hereditary in the family of Buchanau of that Ilk, for about a century before the year 1602. (Inquisit. Special. vicecom. Stirling, nn. 8, 37; Buchauan's Ancient Scottish Surnames, p. 176, edit. 1820.) They passed, together with St. Kessog's chapel, to the Earls of Perth, before the year 1612, and, along with the holy bell of St. Lolan, 'sacra campana Sancti Lolani,' continued to be included in their feudal investitures until the year 1675. (Inquisit. Special. vicecom. Perth, nn. 708. 880, 1094; Miscellany of the Spalding Club, vol. iii, pp. xxiii-iv.)

* While the inquest speaks of these so-called 'Parsons of Arbuthnott,' it discloses to us, at the same time, the existence of a 'Priest of Arbuthnott'—'hospitatus est cum Helia sacerdote de Aberbuthenet.' (Miscellany of the Spalding Club, vol. v, pp. 211, 212.) A charter, of about the year 1170, describes the parson of Iuverness as being both a priest and a parson—'Thome sacerdoti ejusdem ecclesiæ personæ. (Regist. Vet. de Aberbrothoc, p. 24.) So, in a charter of about the year 1140, we have an abbot described as 'priest and abbot.'—'Duftah sacerdos et abbas.' (Regist. Priorat. S. Andree, p. 118.) Neither every parson, nor every abbot, was a priest. Nay, every abbot was not even a monk. One of our oldest writings distinguishes a Keldee of St. Serf's Inch, as being both monk and abbot—'Romanus monachus et abbas.' (Regist. Priorat. S. Andree, p. 113.) The passage proceeds to furnish, perhaps, the only instance to be found in our Scottish records of the abuse of the 'precarium,' so well known on the continent. (M. Guizot, Essais sur l'Hist. de France, iv. essai, cap. i, § ii, pp. 92-96, edit. Paris, 1845.)

Not every abbot, it has been seen, was a monk, nor did every abbot always take or receive the name of abbot. It is as 'Horm the son of Hugh,' 'Orm of Abernithi,' 'Laurence the son of Horm,' 'Laurence of Abernethi,' 'Patrick de Abernethyn,' 'Patrick the son of Laurence,' that the lay abbots of Abernethy meet us in record. Their monastic character and style appear only when it is necessary that the King or the Bishop should distinguish the peculiar tenure of their inheritance. (Regist. Vet. de Aberbrotb., pp. 25, 26, 54, 75, 97, 120, 145-8; Regist. Priorat. S. Andree, pp. 132, 216, 268, 319; Lib. Eccl. S. Trinitat. de Scon, pp. 24, 47, 49; Cart. Monial. de Northberwic, p. 6; Regist. de Dunfermelyn, p. 45.) So also with the lay abbots of Brechin. 'Leod of Brechin' is a more common style than either 'Leod, abbot of Brechin,' or 'Leod the abbot.' (Act. Parl. Scot., vol. i, p. 47; Regist. Priorat. S. Andree, pp. 182, 187; Regist. de Dunfermelyn, p. 8.) His grandson,

cattle, which they pastured on the common. The fixed rent or 'conveth,' due to the See, would seem to have been two or three cows; and, small as the tribute was, the poverty of the occupants was such, that the Bishop did not always enforce its payment. He appears, like the Irish prelates of more recent times,* to have found his chief profit in the right of hospitality, or refection, lodging, and attendance, which he exacted for himself and for his servants, whenever they visited the neighbourhood. Such was the tenure of the church land. The lay manor of Arbuthnott was farmed from the crown by a steward or thane, until King Malcolm bestowed it in property upon Osbert Olifard, the Crusader. He, too, possessed by a

however, seldom or never appears without his abbatial style. (Regist. Vet. de Aberbroth., pp. 7, 49, 50, 134; Regist. Priorat. S. Andree, p. 118.) Elsewhere we see the 'abbot' of the middle of the thirteenth century, gliding into the 'lord of the abbacy' of the beginning of the fourteenth century. Thus 'Nicholas, the son of Brice, the priest of Kirriemuir,' having received a hereditary grant of the lay abbey of Monifeith, takes the title of 'Nicholas the abbot,' and 'Nicholas the abbot of Monifod;' while his successor, half a century afterwards, designates himself 'Michael of Monifuth, lord of the Abbacy of that Ilk.' (Regist. Vet. de Aberbroth., pp 330, 331, 34, 82, 190, 278.) The looseness of description which prevails in our earlier charters, doubtless prevents our identification of more than one lay abbot of whom we should like to know more—*e. g.* 'Ewen the abbot,' who witnesses a charter of Bishop Richard of St. Andrew's; and that nameless 'Abbot of the Keldees of St. Andrew's,' who witnesses an indenture between Bishop Hugh of St. Andrew's, and Earl Duncan of Fife. (Regist. Priorat. S. Andree, pp. 133, 353.)

* The record which Dr. Reeves has so well edited of the 'Acts of Archbishop Colton, in his metropolitan visitation of the Diocese of Derry, A.D. 1397,' shows us how this right of hospitality was enforced: 'Tandem vero idem dominus Archiepiscopus enm sna comitiva ad villam de Ardstraha adveniens, vocatis coram eo vicario et herenacis ville predicte, eis mandavit ut de necessariis hominum et equorum, necnon de sufficienti vigilia pro corpore, bonis, et rebus ipsius Archiepiscopi et comitive sue, ecleriter providerent. Qui, ejus mandatis obedienter annuentes, panem, butyrum, lac, et carnes, focalia, stramina atque blada pro equis, umanque domni ubi homines et equi dicti domini Archiepiscopi inhospitati fuerunt, juxta numernm hominum et equorum in domibus ipsis inhospitatorum, communibus sumptibus herenacorum et incolarum ipsius ville, apportari et ministrari fecerunt; et vigilias hominum per diversas partes ville predicte, et precipue circa domum ubi prefatus dominus Archiepiscopus inhospitabatur, cum magna diligentia statuerunt.' We have an ample commentary on the custom, in a statement addressed by Montgomery, Bishop of Derry, to King James VI.: 'These *censuales terrae*, or copychold lands which payed rent, yeelded also unto the byshops certayne intertaynements, which they call *refectiones*, and were of the nature of cosherings, once or twyce every quarter of a yeare, or oftener yf occasion of more frequent visitation were offered, or other busynes of the church or tenents requyred of the byshops presence. And indeed by these refections did the byshops chiefely mayntayne themselves and their followers, spending the most part of the yeare in this wandring kynde of lyfe among their tenents, and receaving from them meate and drink for 100, and som tymes 200 people, that followed the Bishop; and in respect of tenants charge this waye, the byshops imposed very small rents upon the lands . . . lying not by their rents but by their refections; in such sort that a tenant which payed not above a noble in rent, spent in entertayning the byshop and his followers, ten pounds, or twenty marks yearely. . . . The lands belonging to these byshopricks laye not by whole manors togither in one place, but were devyded in every parishe neere the church . . . so that the byshops did, *una et eadem opera*, both visit the churches, and keep their temporall courts for determining of controversies among their tenents, for which purpose they had their officials and seneschals, neyther did any temporall officer meddle in any matters concerning the church tenents, but left them unto the byshops seneschals.' (Primate Colton's Visitation, A.D. 1397, pp. 9-12, 117, 118. Dub. 1850. Irish Archæol. Soc.) Dr. Reeves cites a passage from Bede, which shows that the arrangement here described was not much dissimilar from that which St. Aidan established among his Northumbrian converts: 'In hac [villa regia non longe ab Bebbanburgh] habens ecclesiam et cubiculum, saepius ibidem diverti ac manere, atque inde ad praedicandum circumquaque exire consueverat: quod ipsum et in aliis villis regis facere solebat, utpote nil propriae possessionis, excepta ecclesia sua et adjacentibus agellis habens.' (Hist. Eccl. Gent. Angl. lib. iii, cap. 17.)

steward or thane. His successor, Walter, gave the land to Hugh of Swinton, the progenitor of all the Arbuthnotts. These occupied the manor themselves, and, although they were its lords, seem to have still been styled, in common speech, its thanes. Their claims soon began to clash with those of the Bishop. Although the church land and its inhabitants belonged to the See of St. Andrew's, the lay lord of Arbuthnott had certain rights over them. Every house in the 'kirk town' was bound to give him yearly ten cheeses, made of the whole milk at midsummer, and to furnish three men for gathering his corns in harvest. The Bishop seems also to have paid him a certain 'cane' or rent. He had, besides, an equal share with the Bishop in the 'merchets' and 'bloodwits,' the fines for marriage and bloodshed, levied from the men of the lands, although these were amenable only to the Bishop's courts. Not content with these dues, the new lords of Arbuthnott began to remove the old occupants, and to till the land themselves. The usurpation was resisted, although somewhat tardily it would seem, and became the subject of an inquest before a synod of the Scottish Church, which found for the Bishop. It is in the evidence which was adduced on this occasion that we meet with the Scoloes. The notices are only incidental, the object of the inquiry being rather to determine the rights of the lay lord, than to ascertain by whom the 'kirk town' was possessed, or what services were due from the land to the parish church to which it was attached. The first witness, John of Hastings, had been Sheriff and Forester of the Mearns, in the time of Bishop Richard (A.D. 1163—A.D. 1178), and of Osbert Olifard. 'He had seen many Scoloes upon the land in dispute, to wit, Arbuthnott, and when the folk of that land were troubled about any matter touching the Sheriff or Forester, the bailifs of the Lord Bishop came to him with the King's writ, and re-pledged them, as the Bishop's men, to the Bishop's court.' Ysaac of Banever, who, for six years, had farmed the lay manor as a thane, under the Olifards, affirmed that Hugh of Swinton, after the death of Bishop Hugh (A.D. 1188), and the village patriot, Gilli Andres the cripple, 'removed divers Scoloes from the kirk town, one after another; that such as he left were ejected by his son Duncan; and that the same Duncan, after the Scoloes were thus expelled, began to till the land.' The witness Felix had, more than once, seen Bishop Arnold (A.D. 1160—A.D. 1162), and Bishop Richard (A.D. 1163—A.D. 1178), as guests in his father's house at Arbuthnott, who held his land of them, and with the Scoloes who belonged to the land, ministered to the Bishop's wants. He added that Hugh of Penne or Bennef (who, after Ysaac of Banever, farmed the lay manor as a thane), and Duncan of Arbuthnott 'removed the natives and Scoloes from the land.' Maurice, the priest, spoke nearly in the same words of the removal of 'the natives and Scoloes from the land.' Andrew of Bas, the brother of Bishop Hugh, of pious memory, declared that, after the days of Bishop

Roger (A.D. 1188—A.D. 1202), 'Duncan of Arbuthnott removed the Scoloes altogether from the land, and, save the Bishop, was the first to till the land.'*

The 'Scoloes thus disappeared from Arbuthnott in the first years of the thirteenth century. But in the same neighbourhood, and much about the same time, on a perambulation of the lands of Balfeth, about the year 1190,† we find 'Duf Scolok of Fetheressan'—a church dedicated to St. Caran, a bishop and confessor in the north, with a dependent chapel, and a 'kirk town' which, like that of Arbuthnott, held of the Bishop of St Andrew's.‡ Elsewhere we have traces of Scoloes at a later period. Thus 'Ri Scoloc' appears on an assize of marches in Fife in the year 1230.§ 'Richard Scoloc' is witness to a transaction between the Prior of St. Andrew's and Serlo de Lascelles, in the year 1280.‖ The Benedictines of Dunfermline, in the fourteenth century, occasionally recorded the pedigrees of their bondmen. One of these genealogies relates that Patrick Scurfarauche begat Alan Gilgrewer, who begat John Scoloc the elder, who begat John Scoloc the younger, who begat John . . . . . , who had three sons, Adam Johnson, John Bel, and one whose name, through decay of the parchment, cannot now be read.** The surname†† of 'Scoloc' was here obviously personal or official, for, although it was borne by two, or perhaps three generations of bondmen, we see that they neither inherited it from their forefathers, nor transmitted it to their children. That the Scoloc begat sons and daughters, and was of servile condition, was not inconsistent with his ecclesiastical function in Scotland, during that age. Even so late as the year 1251, we find Pope Innocent IV. pleading for the rights which 'married clerks' were accustomed to enjoy in the Scottish realm;‡‡ and not many years before we see the Bishop of

* Miscellany of the Spalding Club, vol. v. pp. 209-213.

† Regist. Vet. S. Thome de Aberbroth., p. 60; F. Douglas' East Coast of Scot., p. 272, edit. 1782.

‡ Breviar. Aberdonense, Prop. SS., pro temp. hy. m. fol. xxiii; Martine's Reliquiae Divi Andreae, pp. 119, 121; Regist. Priorat. S. Andree, pp. 37, 408.

§ Registrum de Dunfermelyn, p. 111.

‖ Regist. Priorat. S. Andree, p. 346.

** Registrum de Dunfermelyn, p. 221; Dalyell's Monastic Antiquities, pp. 44, 45.

†† The name of Scoloc or Scolaige is found in Ireland, but apparently as a Christian name. Thus it is recorded, that in the year 1011, 'Scholagius filius Clercheni, nobilis presbyter Ardmachanus, et alii numeri seniores et studiosi Ardmachani interierunt.' (Colgan, Trias Thaumaturga, p. 298; Lanigan, Eccl. Hist. of Ireland, vol. iii, p. 411.) Again, in the year 1067, the Annals of the Four Masters record the death of 'Scolaige M'Indrecht' 'aircindeac' of Mucknoe and Dunletbglas. (O'Connor, Rer. Hibern. Script., vol. iii, p. 627; Dr. Reeves's Eccl. Antiq. of Down and Connor, p. 146.)

‡‡ Registrum Episcopatus Moraviensis, p. 336; Lord Hailes' Annals of Scot., vol. i, pp. 163, 344, edit. 1776.

The Pontiff's words are: 'Clerici vero uxorati ejusdem regni, qui clericalem deferentes tonsuram clericali gaudere solent privilegio, et cum bonis suis sub ecclesiastice protectionis manere presidio ab antiquo, solite immunitatis beneficiis exuuntur, et sub nova rediguntur onera servitutis.' So common do such married clerks appear to have been, that a statute of King William the Lion made special provision for the freedom of the sons of chaplains: 'Quod filius capellani respondeat ut homo liber quam diu pater suus vixit scilicet ad omnem libertatem sed post mortem sui patris amittet suam libertatem.' (Act. Parl. Scot., vol. i, p. 58.)

Gerald de Barri shows us the prevalence of the same state of things in Ireland, towards the end of the

Murray stipulating in a covenant with the Lord of Badenach, that 'as to the native bondmen of the land, the Bishop and his successors should have all the clerks (*omnes clericos*) and two laymen, to wit, Gylle Mallouock MacNakeeigelle and Sythach MacMallon: these cleric and lay natives the Bishop of Murray and his successors shall have, with all their chattels, and their possessions, and their children, and all their posterity, and the chattels of their children.'* We should, perhaps, recognise a Scoloc in that 'Gille-Mor Scolgo,' the 'native liegeman' of the prior and convent of St. Andrew's, on their lands of Tarland, in Cromar, who, in the year 1222, had their licence to abide during their pleasure, with Sir J., the son of M. sometime Earl of Mar, in consideration of the yearly payment of a pound of wax at Lady-Day in harvest, and on condition that, whensoever they should be reclaimed, both he and his children, and all their substance, should return to the prior and convent as their native men, to dwell in such reasonable place as should be allotted to them.† It may have been their appropriation of old to the support of 'Scolocs' that gave name to 'Scollowland' in Fife,‡ to the 'Scolilands' in Annandale,§ to the lands of Scowlag in Bute,‖ and to the 'Scollatisland' at Monymusk, in Mar.**

twelfth century: 'Notandum autem quod viri, qui ecclesiastica gaudent immunitate, et quos viros ecclesiasticos vocant, quanquam laici et uxorati, comis quoque praelongis trans humerum diffusis, solum armis renunciautes in signum protectionis, pontificali impositione, amplas in capite coronas gestant.' (Girald. Cambrensis, Topog. Hiberniae dist. iii. cap. xxvi.)

This adoption of the clerical tonsure, and assumption of the clerical name, by laymen, in order that they might enjoy ecclesiastical immunities, was an abuse flagrant in England in the beginning of the eighth century. Bede inveighs against it in his letter to Archbishop Ecgberct of York, written about the year 734: 'Sic per annos circiter triginta, hoc est, ex quo Aldfrid rex humanis rebus ablatus est, provincia nostra vesano illo errore dementata est, ut nullus pene exinde praefectorum extiterit qui non hujusmodi sibi monasterium, in diebus suae praefecturae comparaverit, suamque simul conjugem pari reatu nocivi mercatus astrinxerit. . . . Atque ita ordine perverso innumeri sint inventi, qui se abbates pariter et praefectos sive ministros aut famulos regis appellant. . . . Et quidem tales prepente, ut nosti, tonsuram pro suo libitu accipiunt, suo examine de laicis non monachi, sed abbates efficiuntur.' (Bedae Epist. ad Ecgberctum Antistitem, cap. vii.)

These lay abbeys—'monasteria, si tamen ea fas est ita nominare'—were condemned by the Synod of Cloveshou, in the year 747. They are reprobated by St. Boniface, in a letter to Archbishop Cuthbert of Canterbury, written about the same time. (Epist. Bonifacii ad Cudberthum Archiepiscop., cap. viii.) Professor Hussey has appended both this tract and Bede's letter to Ecgberct, to his late useful edition of the Hist. Eccles. Gent. Ang. (Oxon. 1846.)

M. Guizot has pointed out, with his accustomed clearness, how the separation of ordination and tonsure issued in the result, that many men were tonsured without entering into orders, and became clerks without becoming ecclesiastics. (Hist. de la Civilisation en France, leçon xiii.)

* Regist. Episcopat. Morav., pp. 83, 84.

† Antiquities of Aberdeen and Banff, vol. ii, pp. 18, 19; Robertson's Index to the Missing Charters, p. liii. Such contracts between the church and its thralls were, perhaps, not uncommon. There is another on record in the Lib. Eccl. S. Triuitat. de Scon, p. 53.

‡ Inquisit. Spec. vicecom. Fife, no. 1456.

§ Inquisit. Spec. vicecom. Dumfries, no. 26.

‖ Origines Parochiales Scotiae, vol. ii.

** Inquisit. Spec. vicecom. Aberd. nn. 210, 324.

Monymusk was an early possession of the See of St. Andrew's. (Collect. for Hist. of Aberdeen and Banff, pp. 169-179.)

II.—The Master of the Schools.

The function of 'Rector' or 'Magister Scolarum,' the second scholastic grade, which we discover in Scotland, is sufficiently explained by its name.

It first meets us in the beginning of the twelfth century, before the death, it would seem, of King Alexander I., in the year 1124, when 'Berbeadh, the rector of the schools of Abernethy (*rector scolarum de Abyrnethyn*)' is enumerated among those who witnessed the confirmation of the grant which the son of St. Margaret, 'Edelrad, Abbot of Dunkeld, and Earl of Fife,' made to St. Serf and the Keldee hermits in the Isle of Lochleven, of the lands of Admore.*

The 'Master of the Schools of St. Andrew's (*magister scolarum civitatis Sancti Andreae*)' appears, between the years 1211 and 1216, along with 'the poor scholars' of the city,† in a deed which there will be occasion to recapitulate hereafter, when speaking of the third and highest of the scholastic offices.

About the year 1213, we find 'Adam, Master of the Schools of Perth (*magister scolarum de Pert*)' associated with the Archdeacons of Dunkeld and Dunblane, as judges delegated by Pope Innocent III. for determining the controversy between the monks of Paisley and William the clerk of Sanquhar, as to the church of Prestwic.‡ There are still older notices of the schools of Perth. Between the years 1152 and 1159, Robert, Bishop of St. Andrew's, confirmed to the monks of Dunfermline 'the church of Perth, and that of Stirling, and the schools.' One after another, Bishops Arnold, Richard, and William, renewed the confirmation;

* Regist. Priorat. S. Andree, p. 116. The union of the Earldom of Fife and the Abbey of Dunkeld, in the person of Edelrad, is not the only instance of an intimate relation between the two localities. One of our earliest notices of a religious house at Dunkeld—a passage in the Annals of Ulster in the year 865—is a record of the death of 'Tuathal MacArtgnso, high bishop of Forthrich, and abbot of Dunkeld.' (Collect. de Reb. Alban., pp. 258, 259.) When the abbey of Dunkeld last meets us in record, in the beginning of the thirteenth century, its 'rights in Fife and Forthrich' are specially reserved. (Regist. de Dunfermelyn, pp. 6, 20, 29, 41, 47.) They are said to have been ultimately transferred to the Bishopric which was founded or restored on the ruins of the ancient abbey. (Vit. Dunkeld. Episcop., p. 6.) The extent of jurisdiction which that Bishopric possessed in Fife and Forthrich is remarkable, as indeed the territorial constitution of the diocese (dating, it is said, like that of Brechin, which it resembled, from no more remote era than the beginning of the twelfth century) seems altogether anomalous. Made up, in great measure, of disjected parishes, it stretched from the West Isles to the mouth of the Frith of Forth, from the heart of the Merse to the gates of Brechin. The venerable monastery of Dull—the reputed retreat of St. Cuthbert in the seventh century, and in later times the hereditary benefice of our princes—fell naturally within its limits. But, when it gave up Argyll for the diocese of a new Bishop, it retained the old religious foundation of Archattan, in its allegiance. It invaded the Norse diocese of the Isles, to grasp the hallowed territory of Iona. It advanced its borders into Anglo-Saxon Lothian, to embrace the site of the ancient abbey of Abercorn, whence Trumwin, in the seventh century, ruled that Northumbrian bishopric of the Picts beyond the Forth, whose limits we may, perhaps, conjecture to have been nearly those of Forthrich. The circumstances which determined the boundaries of our dioceses, have not yet received the consideration which is their due. This is not the only point of interest on which we may expect to derive essential help from the completion of Mr. Innes's 'Origines Parochiales Scotiae.'

† Regist. Priorat. S. Andree, pp. 316–318.

‡ Registrum Monasterii de Passelet, p. 229.

and, by a special charter, between the years 1163 and 1172, Bishop Richard granted 'to the church of the Holy Trinity of Dunfermline, the school of Perth and the school of Stirling, and all the schools which belong to the said church, free and quit of all claim and exaction for ever.'*

The conveyance of a church to a religious house would seem to have carried the school with it, although no special mention was made of the latter. In this way the grant by St. David of the churches of the Castle, and St. Cuthbert's of Edinburgh, appears to have transferred the school of Edinburgh to the Canons of Holyrood. The Master was taken bound, in 1524, 'to be at high solemn festival times, with the Abbot and his successors, at mass and even-song, with his surplice upon him, to do the Abbot service within the abbey.'†

The 'Master of the Schools of Ayr,' together with the Deans of Carrick and Cunningham, was, in the year 1234, appointed by the Pope to decide a dispute regarding certain lands between the Clugniacs of Paisley, and Dufgall, the rector of Kilpatrick.‡

'Master Thomas, Rector of the Schools of Roxburgh,' is among the witnesses to a deed by William, the son of Earl Patrick of Dunbar, executed in the chapter-house of the monastery of Kelso, on the morrow of the feast of St. Matthew, the apostle and evangelist, in the year 1241.§ The 'churches and schools of Roxburgh, with all their appurtenances,' had been granted to the monks of Kelso by King David I., between the years 1147 and 1152.‖ The grant was confirmed by King William the Lion, between 1195 and 1199; by the Bishops of Glasgow, Herbert, Joceline, and Walter, between the years 1152 and 1232; and by Pope Innocent IV., between the years 1243 and 1254.**

In the year 1279, a controversy between the Monks of Kelso and the Vicar of Roberton, was referred to the arbitration of the Subprior of Coldingham, the Sacrist of Coldingham, and 'the Rector of the Schools of South Berwick,' or Berwick-upon-the-Tweed.††

* Regist. de Dunfermelyn, pp. 56-58, 63, 66, 81, 418; Regist. Priorat. S. Andree, p. xl. The 'church of Linlithgow, with its school,' was confirmed to the See of St. Andrew's by Pope Gregory VIII., in the year 1187, and by subsequent Popes. (Regist. Priorat. S. Andree, pp. 63, 68, 72, 77, 92, 99.)

† Liber Cart. S. Crucis de Edinburgh, pp. 256-258.

‡ Regist. Monast. de Passelet, pp. 164, 173, 174; Act. Parl. Scot., vol. i, pref. p. 87.

§ Liber S. Marie de Calchou, p. 194.

‖ Liber S. Marie de Calchou, p. 5.

** Origines Parochiales Scotiæ, vol. i, p. 465.

†† Liber S. Marie de Calchou, p. 278.

It need scarcely be said that Berwick was, in that age, a Scotch town. At Norham, on the opposite bank of Tweed, where there is said to have been a church before the days of St. Cuthbert, there was a school, which, in the twelfth century, was regarded as of old foundation. It was taught within the church. (Reginald. Dunelm. Libell. de Virt. S. Cuthberti, cap. lxxiii, pp. 149, 150.)

'Master Thomas of Benum, Rector of the Schools of Aberdeen,' appears among the witnesses to a deed by Richard, Bishop of Aberdeen, at Inverury, in the year 1262-3.* He is perhaps to be identified with the person of the same name who was Chancellor of the diocese in the year 1276-7.† According to the constitutions of the cathedral of Aberdeen, enacted in the year 1256-7, 'it was of the Chancellor's office that he should provide a proper master for the government of the schools of Aberdeen, able to teach the boys both grammar and logic.'‡ The same constitutions show us that 'the Master of the Schools of Aberdeen' was required to see to the due attendance, at matins and high mass, on all the greater festivals, of four singing boys, two who carried tapers, and two who bore incense.§

In almost all our dioceses, of which we have record, the supervision of the schools seems to have belonged to the Chancellor.

The chapter of Glasgow modelled itself after that of Salisbury, where, in the middle of the thirteenth century, the Chancellor's office was defined to be the charge of governing the schools, the repair and correction of the books, the choice of the lessons or readings, the keeping of the chapter seal, the framing of letters and charters, and the like.‖ In the end of the fifteenth century, we find the Chancellor of Glasgow successfully asserting 'that, from time immemorial, he and his predecessors had had the unquestioned right of instituting and removing the Master of the Grammar School of Glasgow, and of taking care, rule, and oversight of the same, so that, without leave of the Chancellor for the time being, it was not lawful for any one to hold a grammar school, or, publicly or privately, to teach

* Regist. Vet. de Aberbroth., p. 193.

† Regist. Episcop. Aberdon., vol. ii, p. 278.

‡ Regist. Episcop. Aberdon., vol. ii, p. 45.

The reader, who does not require such an explanation, will, I hope, excuse my saying, for the sake of others, that the 'ars grammatica' comprehended something much beyond what the words would now suggest. Indeed, they might, perhaps, be more properly translated 'classical,' or, what is the same thing, 'profane literature.' The Grammaticus was, as his name imported, a man of letters—these letters, however, to borrow the words of Augustine, 'non quas *primi magistri*, sed quas docent qui *grammatici* vocantur.' (Maitland's Dark Ages, p. 179.)

§ Regist. Episcop. Aberdonen., vol. ii, p. 49.

The deed is preserved by which the Chancellor of Aberdeen gave institution to the Master of the Schools of Aberdeen in the year 1418. It sets forth that 'ad dignitatem Cancellarie predicte collacio beneficii Magistri Scolarum burgi de Aberdene pleno jure noscitur pertinere. The presentation to the office was with the provost and corporation of the burgh: institution was given by gift of the Chancellor's cap, 'per donacionem birreti mei.' (Extracts from the Burgh Records of Aberdeen, vol. i, pp. 4, 5; Kennedy's Annals of Aberdeen, vol. ii, p. 122.) In 1509, the Master of the Schools seems to have been both presented and collated by the provost and corporation, institution being given 'by gift of a pair of beads.' But the appointment seems to have been called in question, and we hear of an appeal to the court of Rome. (Extracts from the Burgh Records of Aberdeen, vol. i, pp. 80, 97, 98, 107.) In 1538, we see the Chancellor contending for the right of presentation, while the provost and corporation acknowledged his right of collation. (Id. pp. 151, 152.) The presentee of the provost and corporation appears to have obtained possession in the end. (Id. pp. 292, 231.) In 1550, the provost and corporation presented, and the Chancellor instituted. (Id. p. 277.)

‖ Regist. Episcop. Glasg., vol. i, p. 170.

and instruct scholars in grammar, or youth in letters, within the aforesaid city or university.'*

Dunkeld, like Glasgow, took the constitutions of Sarum for its type.† Its annalist, writing in the beginning of the sixteenth century, relates that the Chancellor of that day, 'not unmindful of his office, had endowed a scholastic chaplain (*scolasticum capellanum perpetuum*) who was to serve St. George's church, and be Master of the Grammar School (*et scolam grammaticalem recturum.*‡)' The same Chancellor, it is added, contemplated another foundation for the promotion of grammatical learning ('*si servetur, ecclesiae doctos grammaticam dabit.*'§)

The chapter of Murray copied from Lincoln, where the Chancellor had the rule of 'the schools of theology,' and 'the disposal of all the schools in the diocese, those of the prebends excepted, and this privilege, that without his leave no one could teach in the city of Lincoln.'‖ This was the usage of the beginning of the thirteenth century. In the end of the fifteenth, we have an ordinance of the chapter of Murray, that 'a common school (*generalis scola*) shall be erected and built at Elgin by those who are bound to erect and build the same; and that the Chancellor shall appoint and ordain a fit person to rule and govern the same, and to teach those who resort to it, and instruct them in grammar.' In the meantime the parson of Kincardine, in Strathspey, was to be cited to showby what right he held the office of Master of the School.**

The cathedral constitutions of Brechin gave the oversight of the song school to the Cantor, of the grammar school to the Chancellor. With consent of these dignitaries, it was provided that the college of choristers, founded in 1429, should have two chaplains, one to teach the music school, on the part of the Cantor, the other to teach the grammar school, on the part of the Chancellor. The choristers, it may be observed, were tonsured. The foundation charter requires *quod quilibet puerorum habeat tonsuram bene latam et rotundam durante tempore sue ministrationis in ecclesia.*††

* Munimenta Almae Universitatis Glasg., vol. i; Regist. Episcop. Glasg., vol. ii, pp. 490-1.

† Vit. Dunkeld. Episcop., p. 9; Miscell. of Spalding Club, vol. ii, p. 366.

‡ Du Cange gives 'Magister Scolarum' as one of the meanings of 'Scholasticus.' So also Warton interprets 'Scholasticus' as 'a master in the ecclesiastical schools.' (Hist. Eng. Poet., dissert ii, vol. i, p. cxiv. edit. 1840.) We have mention of the 'Magister Scolarium' of Durham, in the year 1510. (Ancient Rites of Durham, pp. 125, 127. Surtees Soc.)

§ Vit. Dunkeld. Episcop., p. 59.

‖ Regist. Episcop. Morav., pp. 58, 59.

** Regist. Episcop. Morav., p. 270.

†† Regist. Episcopat Brechin., append. Cartae Origin., pp. 25, 26, 48, 49.

III. The Ferleiginn, Scholasticus, or Lecturer.

What the Chancellor became in the English and Scoto-English churches, from about the twelfth century, the Ferleiginn seems to have been in the Irish and Scoto-Irish churches of an earlier age.

Colgan describes the office as it obtained in Ireland, first under the name of 'Scribnidh' or 'Scribhneoir,' that is, 'Scribe or Writer,' and subsequently, from about the middle of the tenth century, more commonly under the name of Ferleiginn, Lecturer, or Scholastic, literally, Man of Learning.* Almost every cathedral or conventual church of note, in the sister island, seems to have had its Ferleiginn, whose duty it was to see to the transcription of manuscripts, and copying of deeds, and to rule or teach the schools.† The Irish annals abound in notices of these Scribes or Lecturers.‡ Not the least famous of their number was the monk whom Alcuin addresses as 'Colcus *lector* in Scotia,' and whose death is thus recorded by the Four Masters under the year 789: 'Colgu na Duineacda *ferleigind* Cluana-macnois'—'Colgu O'Donoghoe, Lecturer of Clonmacnois.'§ The office was not un-

* 'The word,' says Dr. Reeves, 'is derived from FEAR, *vir*, and LEGINN, *eruditionis*.' (Eccl. Antiq. of Down and Connor, p. 145.)

† 'Quia viri qui id munus [scribendi] priscis saeculis obibant, erant singulariter eruditi, ea vox successu temporis usurpata est ad denotandam personam quamlibet ecclesiasticam, cui ex officio incumbebat, non solum transcribere antiqua monumenta, sed insuper eadem apprime callere et profiteri publice, docendo, et nova opera in lucem edendo. Solebat enim in quolibet monasterio celebri et cathedralibus ecclesiis esse aliquis ex monachis aut clericis, singularis erudītionis, cui non solum incumbebat munus publicae lectionis sustinendae, verum etiam penitius rimandi, observandi, et aliis elucidandi patrias antiquitates, eisque hystorias, aut annales sui temporis subtexere. Et hinc tempore primitivae nostrae ecclesiae et paene usque ad medium noni saeculi vocabatur *Scribidh* vel *Scribhneoir*, id est, *Scriba* vel *Scriptor*. Sed in ecclesiis cathedralibus nomen illud videtur a medio noni saeculi et deinceps transiise in alind nomen, nempe *Fearleginn*, id est, *Praelector* vel potius *Scholasticus*. Quod autem haec nominis mutatio sic contigerit duo argumenta mihi reddunt satis probabile. Primum, quod in Annalibus Dungallensibus seu Quatuor Magistrorum legam eandem nunc Scholasticum, nunc Scribam appellari. . . . Secundum est, quod inter viros illustres ecclesiarum cathedralium et celebrium monasteriorum advertam annumeratos Scribas usque ad definitum tempus, *e. g.* usque ad medium vel aliquando usque ad finem prope decimi saeculi, nulla interea, vel satis parca, Scholasticorum facta mentione: deinceps vero Scholasticos, nulla, aut sane rara, Scribarum facta mentione, continuo in iisdem Annalibus recenseri. . . . Ex his constat nou solum munus et nomen Scribae in Scholastici officium et nomen desivisse, sed et insuper solum Scribae nomen fuisse apud Hibernos in usu usque ad initium circiter saeculi decimi; et solum nomen Scholastici post vel paulo ante finem eiusdem saeculi: utrumque autem indifferenter, saltem in diversis locis, toto pene illo saeculo.' (Colgan, Trias Thamaturga, pp. 631, 632.)

Dr. Reeves quotes an Irish canon of the eighth century, which ranks the Scribe next after the Bishop and the Abbot. (Eccl. Antiq. of Down and Connor, pp. 149, 150.)

Our earliest Scotch charter, that of King Duncan, the son of Malcolm, at Durham, exhibits the cross of 'Grenton the Scribe,' beside the crosses of the princes of the blood, and the other magnates of the northern court. (Diplomat. Scot.; Raine's North Durham, append.; Sir James Dalrymple's Collect. p. 229.) We have the name of a still earlier scribe of Scotland, 'Thana, the son of Dudabrach,' who wrote at 'Migdele' between the years 839 and 842, when 'Pheratb, the son of Bergeth,' was King of the Picts. (Pinkerton, Enq. into Hist. of Scot., vol. i, p. 462, edit. 1814.)

‡ Lanigan enumerates the deaths of about twenty, during the first half of the eleventh century. (Eccl. Hist. of Ireland, vol. iii, pp. 431, 432.)

§ Dr. Reeves's Eccl. Antiq. of Down and Connor pp. 145, 146.

known in England and France. Du Cange adduces instances of its occurrence in the conventual church of Lindisfarne, the Iona of the Northumbrian shores, and in the cathedral church of Auxerre, in Burgundy, the seat of the ancient bishopric and monastery of St. Germain.'*

We read, in the Annals of Ulster, that, in the year 1011, 'Muredach O'Crican, successor (*combarba*) of Columkille, and Lecturer (*fer leighinn*) of Armagh, slept in Christ.'† The 'coarb of Columba' seems generally to have inherited the rights of that saint both in Erin and in Albany. The same chronicles relate that, in the year 1034, 'MacNia O'Uchtan, Lecturer (*fer leighinn*) of Kells, was drowned while on his voyage to Albany, with the books of Columkille, and three of the reliques of Patrick; and thirty of his men were drowned with him.'‡

About a century afterwards, we meet the Ferleiginn or Lecturer of Iona. Thus the Annals of Ulster record, under the year 1164: 'The holy brotherhood of Hy, that is, the arch-priest Augustin, and the Lecturer (*ferleiginn*) Dubside, and the *disertach* Mac Gilla Duib, and the chief of the Keldees§ (*cenn na Ceileude*) Mac-

* Du Cange, Glossar. in voce 'Lector.' 'Les chanceliers des chapitres,' says M. Natalis de Wailly, 'sont appelés *sigillifери, registratores*, et le plus souvent *cancellarii*. Ceux des abbayes prennent les noms de *copiste (amanuensis)*, de *lecteur*, de *scolastique* ou *ecolatre*.' (Elements de Paleographie, tome i, p. 212. Paris, 1838.)

† Collectan. de Rebus Albanicis, pp. 270, 271; Lanigan, Eccl. Hist. of Ireland, vol. iii, p. 411.

‡ Collect. de Rebus Albanicis, pp. 272, 273; Lanigan, Eccl. Hist. of Ireland, p. 431. The Annals of Ulster record, under the year 1040, the death of 'Maol Muire O'Uchtan, combarba of Columkille.' (Collect. de Rebus Alban., pp. 272, 273.)

§ This is not the only passage which might be adduced against Dr. Lanigan's somewhat too sweeping assertion, that 'it happens, unluckily for the fanciful theory of the Culdees being derived from Columkille, that in none of the lives of that saint, nor in Bede, who very often treats of the Columbian order and monks, nor in the whole history of the monastery of Hy and of its dependencies, is the name of Culdees, or any name tantamount to it, once mentioned.' (Eccl. Hist. of Ireland, vol. iv, p. 296.) We find Keldees at Iona, in a list of Scottish bishopries and abbeys which Mr. Stevenson has printed from a MS. of the thirteenth century. (Scalacronica, p. 242.) But both these are late instances; and there seems no reason to qualify what Dr. Lanigan has said as to the absence of all contemporary or nearly contemporary mention of Culdees in connection with St. Columba and his disciples.

The 'disertach,' of whom the text makes mention, as one of the spiritual chiefs of Iona, was perhaps a hermit or superior of a community of hermits. 'Disert,' says Dr. Reeves, 'is merely an Irish form of the Latin *desertum*. It primarily signified 'a sequestered place,' and was afterwards applied to the church erected in such a spot; hence it came to signify 'a hermitage:' as a prefix to the names of churches it was exceedingly common.' (Primate Colton's Visitation, p. 120.) Of our Scotch 'Diserts,' that which is now best known, 'Dysart,' in Fife, first appears as the retreat of St. Servan, the saint to whom the foundation of Keldee Hermits inLochleven was dedicated. (Wyntown's Cronykil, book v, chap. xii, l., 1170; Regist. Priorat. S. Andree, pp. 113-117; Breviar. Aberd., prop. sanct. fol. xv, Jul. 1.)

Our Scottish charters, of the twelfth and two following centuries, abound in notices of Hermits—*e. g.*, Lib. Insulae Missarum, p. 4; Regist. Episcopat. Glasg., vol. i, p. 89; Regist. Episcopat. Morav., pp. 4, 32; Miscell. of Spalding Club, vol. ii, p. 307; Genealogic. Deduct. of Fam. of Rose of Kilravock, p. 118. We have glimpses of the eremitical life of the twelfth and thirteenth centuries in Joan. de Fordun, Scotichronicon, lib. v, cap. xxxvii: and in the Chronica de Mailros, pp. 188, 189. So recently as the year 1606, 'the advowson of the office of hermitage of the chapel of St. Lawrence the Martyr, on the lands of Overkelwood,' in Dumfriesshire, continued to be enumerated among the hereditary rights of the family of Gledstanis of Craigs. (Inquisit. Special. vicecom. Dumfries. no. 36.) Seven hermits appear in the train of St. Rule. (Pinkert. Enq. Hist. Scot., vol. i, p. 461.) Nor is this, or what is recorded of the Isle of Lochleven, the only reason for supposing that the brotherhood of the Keldees contained an eremitical order. Joceline of Furness, writing towards the end of

Forcellaig, and the other good men of Hy, go to the successor (*comarba*) of Columkille, Flatherty MacBrolcain, to take the abbey (*abdaine*) of Hy, by the counsel of Somerled, and the men of Argyll and Innisgall, and, with the consent of the successor (*comarba*) of Patrick [that is, the Archbishop of Armagh], and the King of Erin, O'Lochlainn, and the chiefs of the race of Eoghan.'*

A Lecturer presents himself in the genealogy of the MacIntoshes, which Mr. Skene has printed from a Gaelic MS. of the fifteenth century. It traces the descent of Gillie Chatan, the great progenitor of the Clan Chattan, from 'Gilbert, the son of Diarmaid, called the Lecturer (*fear legin.*')†

the twelfth century, says of the disciples of St. Mungo, as they survived in the traditions of Cumbria: 'Mos primitivae ecclesiae, sub Apostolis et eorum successoribus, nichil proprium possidentes, satis sobrie, juste, et pie, et continentissime viventes, in singulis tamen casulis exquirerunt et sapienter maturaverant, sicut et ipse Sanctus Kentegernus commorabatur, unde et *Clerici Singulares* et vulgo *Culdei* nuncupabantur.' (Vit. S. Kentegerni, cap. xx.) Strathclyde was a Welsh dominion; and it is to be remarked that the Keldees who survived in Wales, at the close of the twelfth century, were believed to derive their name from the celibacy which they practised, before it was yet universal in the British churches. Gerald de Barri writes of the island of Bardsey, on the coast of Caernarvon, 'quam monachi inhabitant religiossimi, quos *Coelibes* vel *Coelicos* vocant.' (Girald. Cambrensis. Itiner. Cambriae, lib. ii. cap. vi.) Contrast these solitary, self-denying, Keldees with the married Keldees of St. Andrew's, as these good easy canons have been shown in a previous note.

There was a distinction between the hermit and the anchorite. We seem to have had both in Scotland. It was the latter and more austere recluse that was held in such regard by St. Margaret, as her confessor Turgot tells us: 'Quo tempore in regno Scottorum plurimi, per diversa loca separatis inclusi cellulis, per magnam vitae districtionem, in carne non secundum carnem vivebant. Angelicam enim in terris conversationem ducebant. In his Regina Christum venerari, diligere, suoque crebrius adventu et alloquio visitare, atque illorum se precibus satagebat commendare. Et cum non impetrare posset, ut ab ea terrenum aliquid vellent accipere, petebat obnoxius, ut ei aliquid elecmosynae vel miseriordiae faciendum dignarentur praecipere. Nec mora: quidquid illorum voluntatis erat, devota implevit: vel pauperes ab egestate recreando, vel quosque afflictos a miseriis quibus oppressi fuerant relevando,' (Pinkert. Vit. Antiq. Sanct. Scot., p. 345.)

On the anchorites or '*inclusi*' of Ireland, see Harris, Sir J., Ware's Works, vol. ii, pp. 233-236. Lanigan's Eccl. Hist. of Ireland, vol iv, p. 402. Both hermit and anchorite were in great repute in Wales, at the end of the twelfth century: 'Heremitas et Anachoritas abstinentiae majoris magisque spirituales alibi non videas.' (Giraldus Cambrensis, Cambriae Descript., cap. xviii.)

* I am indebted for this instructive passage to a friend, peculiarly accomplished in Celtic learning, William Forbes Skene, Esq., who transcribed it from the MS. Annals of Ulster at Dublin.

It was in the year in which this transaction took place, that Somerled made his last great rising against the King of Scots. (Chronica de Mailros, p. 79.) Not long afterwards, we find the Scotch King granting to the canons of Holyrood the churches in Galloway, which belonged to Icolmkill. (Lib. Cart. S. Crucis, p. 41.)

† Collect. de Rebus Albanicis, pp. 52, 53. Mr. Skene first interpreted *fear legin* in this place as 'the Leinster man;' but he permits me to say that he is now satisfied that it means 'lecturer' or reader.'

The Clan Chattan was peculiarly a ghostly tribe. It took its distinctive appellation from a saint that kinsman of St. Blane, who was patron of Aberuthven in Stratherne, and gave name to Ardchattan and Kilchattan in Lorn, to Kilchattan in Bute, to Kilchattan in Gigha, and to other churches in the West Isles. The sept was the hereditary keeper of a sacred stone, on which oaths were taken, by which the sick were healed, and armies put to flight; and while, as we have seen the whole clan sprung from the loins of a Ferleiginn, the name of one of the two races into which it was divided proclaimed a second descent from a parson. It was not the only tribe which boasted a spiritual pedigree.

The name of the MacNabs attests their monastic origin, 'their first descent being from an Abbot,' says a writer, recording the tradition of the seventeenth century. (Patrick Gordon's Britanes Distemper, p. 97, Aberd. 1844. Spalding Club.)

The surname of the Earl of Ross, in the reign of King Alexander II., was Macintagart, that is, 'son of the priest,'—his descendants went to battle in the shirt of St. Duthac, in the same manner

We have a more instructive record of the Lecturer of St. Andrew's. Between the year 1211 and the year 1216, a controversy arose between Simon, Prior of St. Andrew's, and his convent, on the one part, and 'Master Patrick, Master of the

as the Queens of the Scots clothed themselves, in their hour of travail, in the shirt of St. Margaret—and the lineage of what seems to have been a still earlier dynasty of those great northern earls, may perhaps be traced to the coarb or lay Abbot of St. Maolrubha's ancient monastery of Apercrusan or Applecross.

The line of the lay Abbots of Brechin disappears from record about the middle of the thirteenth century.

But the race of the lay Abbots of Abernethy, ennobled by the title of Lord Abernethy, in the middle of the fifteenth century, still flourishes. It was to its ecclesiastical descent, doubtless, that its chief owed the distinction which he shared with the Earl of Fife and the Priest of Wedale, of being one of the three judges of the law of Clan MacDuff—itself, perhaps, a privilege of mixed ecclesiastical and judicial origin—a right, it would seem, partly of 'sanctuary,' partly of 'regality,' distinguished from the common mass of such jurisdictions, by being personal not territorial, inherent in a tribe not attached to a church or barony. Another privilege enjoyed by the chief of the sept of MacDuff—that of placing the King of Scots in the royal seat at Scone, on the day of his coronation—seems also to have an ecclesiastical aspect. If the last privilege claimed for the tribe—that of leading the van of the King's host, in the day of battle—appear to be of a different character let two things be remembered; firstly that, as the editor of Wyntown has remarked, it is doubtful if any such privilege existed; secondly, that even such a warlike function was not inconsistent with the habits of the lay abbots of the tenth, and two following centuries. Thus, the Annals of Ulster record the deaths, in battle, of Duncan, Abbot of Dunkeld, in the year 965, and of Crinan, Abbot of Dunkeld, in the year 1045. (Collect. de Reb. Alban., pp. 264, 265, 272, 273.) Hear, too, what Gerald de Barri relates of the lay Abbot of Llanbadarn-fawr: 'Contigit autem regnante Stephano, qui successit Henrico primo, militem quondam de Armorica oriundum Britannia, peragratis regionibus multis, ut variarum gentium tam urbes quam mores discerneret, hinc tandem forte fortuitu advectum esse. Cum itaque die quodam festivo ad missae celebrationem adventum Abbatis tam clerus quam populus expectaret, demum Abbati venienti cum aliis occursans, vidit turbam juvenum venire circiter viginti more gentis expeditam, et armis munitam: cumque quaerenti, quisnam illorum Abbas esset, virum quendam ostenderent cum lancea longa praecedentem: intnens in eum, et admiratus ait: Nunquid aliud habitum aliumve baculum Abbas iste, quam illum, quem nunc profert, habet? Responderunt: Nequaquam. At ille: Sat, inquit, hodie novitatis vidi, satque miraculi jam audivi. Et ab illa statim hora reversus finem labori posuit et explorationi.' (Giraldus Cambrensis, Itiner. Cambriae, lib. ii, cap. iv.) If the Earls of Fife had any privilege or place of honour in the armies of Scotland, it may possibly have been as the hereditary keepers of some consecrated banner, such as the 'Brechennach' of St. Columkille, which King William the Lion bestowed upon the Monks of Arbroath, under whom it was held by a long line of Monymusks, Urrys, Frasers, and Irvines. (Regist. Vet. de Aberbroth, pp. 5, 10, 73; Collect. on Shires of Aberd. and Banff, pp. 511-517.)

The first Earl of Fife, certainly known to record—the son of St. Margaret—was at once an Earl and an Abbot. The second, Constantine, who appears before the year 1124, was 'a great judge in Scotland,' 'vir discretissimus,' 'magnus judex in Scotia,' 'vir discretus et facundus'—a character less likely in that age to be applied by a cloistered scribe to a layman than to an ecclesiastic. (Regist. Priorat. S. Andree, pp. 116, 117.) The judicial function of 'Mair of the King' appears to have been hereditary in the Earl of Fife, in the reign of King Alexander II. (Act. Parl. Scot. vol. i. p. 68.) Tradition represented the fabulous MacDuff, as the progenitor as well of the MacIntoshes as of the Abernethys—both, as we have seen, families of spiritual descent.

The old lords of Luss, now represented by the knightly house of Colquhoun, drew their origin, in the thirteenth century, from a Dean of Lennox, who probably held his dignity, along with the lands of Luss, (the patrimony, it would seem, of the ancient church or monastery of St. Kessog), by hereditary title. He appears to have transmitted some remnant of ecclesiastical immunity to his descendants. In the year 1316, King Robert I. confirms the charter, by which Earl Malcolm of the Lennox, of his devotion to St. Kessog, frees the lands of Luss from all burden of prise, caption, and carriage, and undertakes that the men dwelling upon them shall not be called upon to bear witness, either by the Earl's bailifs and serjeants, or by the bailifs and serjeants of the justiciar of our Lord the King. (Cart. Comitat. de Levenax, pp. 97, 21, 22.) Similar privileges were conceded by the same Earl Malcolm to the men dwelling upon the lands of the Monks of Paisley, within his earldom. (Regist. Monast. de Passelet, pp. 203-5.)

The Dean of Lennox was not the only churchman of the diocese of St. Kentigern who left a heritage of lands to his son. We find the Dean of Clydesdale—called also the Dean of Stoho, in like

Schools of the city of St. Andrew's, and the poor Scholars of the same city, on the other part, regarding the land of Garrieeh, and certain measures of barley which Master Patrick and the Scholars claimed from the land of Neueehi, and the 'cane' which was wont to be paid from the lands assigned to the Prior and convent, by the authority of William, Bishop of St. Andrew's, in amicable settlement of the strife between the Prior and convent, and Master Laurence, Archdeacon of St. Andrew's. Pope Innocent III. appointed the Bishop of Glasgow, the Abbot of Melrose, and the Archdeacon of Glasgow, to determine the controversy, which 'was amicably settled in this wise,' says the record, 'with the assent and goodwill of the said Master Laurence, who was both Archdeacon and Lecturer (*Ferleyn*) of the said city. That is to say, the land of Garrieeh and the land which is called Neueehi, shall remain with the Prior and Convent freely and quietly for ever, in terms of the charter of Bishop Richard, of good memory; but the Prior and Canons, and their successors, shall yearly, at the feast of St. Martin, pay to the foresaid Laurence the Lecturer (*Laurentio ferlano*) and his successors, at the house of the Lecturer of the said city, (*in domo Ferlani ejusdem civitatis*) situated within the same, for the use of the poor Scholars of the said city, the old 'cane' of the lands which they hold in their own hand . . . which 'cane' amounting to forty stones of cheese, seventy measures of barley, and a sheep shall be levied from the tenants by the servant of the Lord Prior, accompanied by a servant of the Lecturer (*uno serviente Ferlani*), and shall be paid to the Lecturer (*Ferlano*) in manner above written . . . Thus was agreement made between the parties, and by authority confirmed, so that neither Archdeacon, nor Lecturer (*Ferlanus*), nor Master of the Schools, nor poor Scholars, shall hereafter move controversy against the same, regarding the lands aforesaid, nor the 'cane', nor any other thing whatsoever.'*

We see here the three grades of the Scoloe, the Master of the Schools, and the Ferleiginn, exhibited together in their proper order and relation.

At St. Andrew's, the functions of Lecturer and Archdeacon were, in one in-

manner as the Dean of Lennox was styled also Dean of Luss, from the church, which was his chief benefice or inheritance—about the end of the twelfth century, succeeded by his son in a portion of the old domain of the sanctuary of St. Machute. (Lib. de Calchou, pp. 82, 83, 270; Regist. Episcopat. Glasg., pp. 41, 46, 73; Lib. de Melros, pp. 113, 114; Lib. Cart. S. Crucis, p. 42.) The parson of Stobo, says Mr. Innes, 'was styled Dean, and was, it would seem, in very early times hereditary, like some of the heads of the regular convents.' (Origines Parochiales Scotiae, vol. i, pref., p. xxi.)

The title of Dean in Scotland, in the twelfth and thirteenth centuries, seems to have been applied somewhat loosely. One and the same person, for instance, would appear to be styled 'Dean of Muthill' in one charter, and 'Prior of Muthill' in another. (Regist. Episcopat. Morav., p. 469; Lib. Insule Missarum, pp. 63, xxxvii.) The 'priory' was a foundation of Keldees. (Regist de Cambuskenneth, MS.; Carte Monialium de Northberwic, pp. 7, 12.) Elsewhere we have mention of a 'Dean of Rattray' of a 'Dean of Fogghou' of a 'Dean of Tiningham' of a 'Dean of Kinghorn' of a 'Dean of Ayr.' (Lib. Eccl. S. Trinitat. de Scon. p. 53; Lib. S. Marie de Calchou, p. 106; Sir J. Dalrymple's Collect. Scot. Hist. p. 293; Regist. Monast. de Passelet, p. 137.)

* Regist. Priorat. S. Andree, pp. 317, 318.

stance at least, discharged by the same person. We can trace a connection between the offices elsewhere. Thus, Du Cange quotes a charter, of the year 1213, in which Hugo, the Archdeacon of Auxerre, narrates that, 'to his office of Archdeacon it belongs to provide a Lecturer for the church of Auxerre, who shall order the whole course of reading.'*

The junction of the offices of Archdeacon and Ferleiginn at St. Andrew's, may, perhaps, account in part for the absence of a Chancellor in that diocese—a point in which it resembled some of the Irish sees, such as Down, Connor, and Dromore, where, we are told, 'before the Reformation there does not appear to have been any dignitary connected with the cathedral, except the Archdeacon.'† The restoration or new foundation of the chapter of St. Andrew's, which was made in the beginning of the seventeenth century, left the metropolitan diocese of Scotland still without a Chancellor,‡ an arrangement which obtains, in the Irish diocese of Meath, to this day.§

The union of the functions of Archdeacon and Ferleiginn at St, Andrew's, probably led also to the somewhat unusual combination of immunities, which the Archdeacon of St. Andrew's possessed. He had the right of election of the Master of the Schools of the metropolitan city ;‖ he was Conservator of the privileges of the University ; and to him belonged the office of investiture of all persons presented to benefices within the diocese of St. Andrew's.** The nomination of the Archdeacon was with the King ;†† and it needs but to consider the list of those who held the office, to see what its dignity and importance must have been, and to be satisfied of the care which was generally taken to choose men of learning for its duties.

JOSEPH ROBERTSON.

23. Buccleuch Place, Edinburgh,
7th September, 1852.

* Du Cange, Glossar. in voce 'Lector.'
Colgan, it will be remembered, translates 'Ferleiginn' by 'Scholasticus;' and we find mention of the 'Scholasticus' of Auxerre in the year 1249. (Du Cange, Glossar. in voce 'Scholasticus.') Carpentier cites a record to show that, in the year 1337, 'the Scholastic of the church of Lyons resigned the said office of Scholastic.' (Glossarium, vol. iii, col. 731.)

† Dr. Reeves' Eccl. Antiq. of Down and Connor, pp. 175, 261, 262, 311, 312.

‡ Act. Parl. Scot., vol. iv, p. 530. It would seem, however, that a Chancellor was appointed, or contemplated, by the settlement of church affairs, made at Leith in 1571. (Wodrow's Biographical Collections, vol. i, part ii, p. 351.)

§ Dr. Reeves' Eccl. Antiq. of Down and Connor, p. 175.

‖ Act. Parl. Scot., vol. iv, p. 517.

** Act. Parl. Scot., vol. iv, pp. 493, 494; Martine's Reliquiae Divi Andreae, pp. 201-207.

†† Act. Parl. Scot., vol. iv, p. 494: Lyon's Hist. of St. Andrew's, vol. ii, pp. 150-152.

[illegible] Reginald [illegible] Baillyeo de Aberdene [illegible] temple
[illegible] eidem dño Waltero Reyschum [illegible] [illegible] [illegible]

EXTRACTS

FROM THE

REGISTERS OF THE BURGH OF ABERDEEN.

EXTRACTS

FROM THE

REGISTERS OF THE BURGH OF ABERDEEN.

1317.

[Die lune] proxima ante festum Sancti Laurencii martiris anno Gratie millesimo cccmo decimo . . de Aberdene in plena curia dicti burgi Ada filia Rogeri de Hauwod . . de Pologoueny . . et heredis Malcolmi de Polgoueny . . constituens Duncanum Kunedy et Dauid filium Laurencii suos prolocutores ad . . coram balliuis in curia predicta qui optenta licentia ex parte dicte Ade proposuerunt quod . . us Malcolmus de Polgoueny vestitus fuit . . de quadam petia terre cum pertinentiis . . edificiis in eis constructis jacente in parte . . vici furcarum inter terras quondam predicti Malcolmi versus austrum et boream . . parte jacentes Et dicta terra cum aliis terris dicti Malcolmi in vita dicti Malcolmi obligata fuit Magistro Roginaldo de Buchan pro quatuor viginti marcis sterlingorum in quibus predictus Rogerus de Hauwod tenebatur Magistro Roginaldo predicto pro quo debito dictus Malcolmus per litteras suas obligatorias penes dictum Magistrum Roginaldum residentes plegius et debitor principalis fuit constitutus dicta terra remanente obligata pro predicto debito et predicto Magistro Roginaldo institutionem in terra predicta habente corporalem idem Malcolmus eiectus de eadem in fata discessit quo defuncto inopportunitate gerre totam terram Scocie undique aggrauante et dicto Magistro Rogenaldo propter suam rebellionem contra pacem regni existente Dominus rex dictam terram ipsum pro eskaeto per rebellionem predicti Magistri Roginaldi contingentem contulit discreto viro domino Willelmo

de Lindesey rectori ecclesie de Are tunc camerario suo Scocie qui per dictam concessionem regis eandem occupauit et tenuit de domino rege per annos et dies Et cum processu temporis Magister Roginaldus predictus ad pacem domini regis venerat cum aliis incolis dicti regni et gratiam gaudendi ecclesiasticis bonis et mundanis impetrauerat Dictus dominus Willelmus ut pleniori iure dictam terram poteret occupare per formam conuentionis inter ipsum et predictum Magistrum Roginaldum confecte Sibi de predicto debito satisfecit et dictam terram exsolutam de manu sua recuperauit Et per eandem viam institucionis per quam idem Magister Roginaldus dictam terram tenuit Predictus dominus Willelmus in eadem permansit hucusque Unde predicta Ada sub virga patris sui et infra etatem in alia parte regni extra burgum de Aberdene cum patre suo permanens de statu et mora predicti Duncani awunculi sui filii et heredis predicti Malcolmi in quibus mundi partibus extiterit diligenter et solerter explorans pro firmitate pleniori anelans per mortem dicti duncani si contigerit in hereditatem predicti Malcolmi de Polgoueny de predicta terra tanequam proximior et apparencior heres de sanguine dicti Duncani heredis . . Et tandem extraneorum mercatorum et peregrinancium a remotis partibus insinuatione veridica . . laborante Dicta Ada concipiens predictum Duncanum awunculum suum viam uniuerse carnis . . Et statim cum patre suo apud Aberdene accessit ius hereditatis in dicta terra se habere proclamando Et . . Willelmi in euidenti paupertatis statu constituta assequebatur gratiam suam continue expectando ut . . paupertate compatiens Sibi aliquam porcionem pecunie per quam sui status media poterit . . ex jure suo quod tanequam heres predicti Duncani clamabat se habere in predicta terra conferre voluerit graciose Quamvis ad hoc faciendum non tenebatur de jure de statu tamen dicte puelle compatiens et dictam terram . . quam pleno jure uolens gaudere quandam pecunie porcionem ad summam . . sibi in pecunia numerata persoluit pro toto jure quod dicta puella pro se et heredibus suis in dicta terra clamabat se habere de qua summa dicta puella se bene contentam tenuit et pacatam Et tempore quo dicta Ada cum predicto domino Willelmo super venditione dicte terre et renunciatione sui juris de eadem conuenit Se coram balliuis et curia burgi proposuit sui status inopiam exprimendo et supplicans eisdem quod de prioris in villa de Aberdene generacionis et alumpnacionis sue ceperint exordium et in

dicta villa de Aberdene melius de perfectione sue etatis nosci vel certiorari poterint quam alibi ut ipsi balliui de potestate sui officii per bonam et sufficientem assisam proborum ville per quos sue etatis perfectio melius sciri potuit et inquiri graui sacramento interueniente se ad inuicem super sue etatis perfectione consulerent et eandem balliuis et curie predicte deponerent . Que assisa proborum ville lenata jurata et consulta deposuit in veritate sui sacramenti . Interueniente in dicta assisa Marioria alumpmatrice dicte puelle et jurata cum assisa predicta quod dicta Ada etatem quindecim annorum compleuerat ad festum Sancti Martini anno e^tca^ quarto decimo et quod tunc secundum leges burgorum Scotie perfecte fuit etatis conuencionandi contractus impignorandi vendendi et alienandi terras et possessiones quascunque.

Et sic matura etate dicte Ade per depositionem dicte assise et sue alumpmatricis juratarum facta et probata dictam terram in plena curia burgi de Aberdene ad tria placita dicti burgi rite et secundum leges burgorum Scocie proximioribus amicis sanguinis sui Si qui eandem emere voluerint pro eadem vel consimili summa denariorum soluenda sibi primo secundo et tertio per Ricardum filium Randulphi attornatum suum per breue de capella domini regis constitutum optulit ad vendend . . comparuerunt in curia Dominus Galfridus de Wellys capellanus . . pelliparius ostendentes quod ipsi proximiores erant heredes dicte terre . . mota fuit de Alicia Sponsa quondam Malcolmi de Polgoueny predicti et . . maritagio cum predicto Malcolmo et quod ipsi tancquam proximiores . . hereditarie deberent gaudere computando hinc inde . . proxim . . ad . . mulierem Et super discussione sui juris in dicta terra . . in bonam assisam proborum ville que assisa jurata . . et . . pelliparium ratione proximitatis sanguinis sui in defectu predicte ade filie . . ipsa fieri contigisset humanitus proximiorem et apparentiorem heredum . . pro parte dicti domini Galfridi deposuit ipsum nulla racione sanguinis . . sponse quondam predicti Malcolmi de Polgoueny . et sic dictus domius Galfridius a clamio dicte terre fuit exclusus prius persolu . . recuperans jura sua que ratione proximitatis sanguinis vel alterius juris . predicte in dicta terra pure perpetuo et simpliciter renunciauit in manus dicti domini Willelmi de Lindesey in plena curia dicti burgi de Aberdene . qua renunciacione facta et nemine alio de sanguine venditoris

predicte dictam venditionem et alienationem ad tres oblationes premissas in tribus placitis burgi predictis impugnante nec contradicente dicta Ada supplicauit balliuis dicti burgi ut ipsi cartam infeodationis sue per quam vendidit dictam terram et dictum dominum Willelmum infeodauit in eadem in curia sua legi facerent et secundum tenorem eiusdem saysinam inde deliberarent dicto domino Willelmo per mediam personam balliui inter partes ad caput et ostium terre predicte Et sic ad instantiam dicte puelle surrexerunt balliui in curia et ad caput ipsius terre pergentes cum denario de intoll et denario de uttoll ab utrisque partibus emptoris et venditoris in manu Thome filii Reginaldi unius balliuorum de Aberdene tunc temporis solutis eidem domino Willelmo saysinam dicte terre . ibidem congregata testante Et in traditione dicte saysine predicta ada cartam infeodationis sue de predicta terra confectam dicto domino Willelmo per manus suas deliberauit et sic . processum litis predictum per illam legem burgorum per quam dicitur cum cartis et clamore fiat tradicio terrarum in burgis.

Et idem dominus Willelmus postquam dicta asyssa deposuerat pro dicto Johanne pro proximiore . . sanguinis predicte Ade ad vendicandum jus in predicta terra optulit in plena curia ad . . omnes conuentiones inter ipsum et dictam Adam confectas super empcione et vendicione dicte terre per quod ipse Johannes omnem pecuniam quam idem soluit Ade predicte pro empcione dicte terre et de qua satisfecit magistro Reginaldo de Buchan predicto pro debito Malcolmi de Polgoueny predicti infra unum annum proximo sequentem solueret integraliter.

Die lune proximo ante festum Sancti Laurentii Johannes filius Laurentii Carnifex et Marioria sponsa dicti Johannis et filia quondam Bricii de Cragy presentauerunt litteram de capella domini regis directo prepositis burgi de Aberdene que rotulo suta est qua perlecta prepositi dederunt in mandatis [Thome] ernach sergenti dicti burgi ad citandam Emmam filiam quondam Bricii de Cragy in diem . . quindenam ad respondendum dicto die contra predictos Johannem et Marioriam super tenore . .

[Litera de capella domini Regis.]

Robertus Dei gratia rex Scottorum Prepositis et balliuis burgi de

Abirden fidelibus suis salutem Mandamus vobis et precipimus quatinus Johanni filio Laurentii et Mariorie filie quondam Bricii de Cragy sponse ejus plenum rectum teneri faciatis ratione dicte sponse de una perticata terre cum pertinentiis jacente infra dictum burgum de Abirden ex orientali parte vici qui dicitur Galugat inter terram que fuit quondam Willelmi Fitchet ex parte australi ex parte una et terram que fuit quondam Reginaldi de Grendoun ex parte boreali ex altera Quamquidem perticatam terre cum pertinentiis de nobis tenere clamant hereditarie ratione dicte sponse Reddendo inde nobis et heredibus nostris annuatim Sex denarios argenti videlicet tres denarios ad festum Pentecostes et tres denarios ad festum Sancti Martini in hyeme Reddendo etiam fratribus de ordine Trinitatis de Abirden sex solidos et octo denarios argenti per annum . . Quam quidem perticatam terre cum pertinentiis Emma filia predicti quondam Bricii de Cragy eis iniuste deforciat sicut dicunt . . inde facientes quod pro defectu recti amplius inde iustam querimoniam non audiamus Teste me ipso apud Abirden xxviii° die Julii anno regni nostri duodecimo.

Memorandum quod Thomas apotecarius in curia burgi comparuit tribus diebus placitorum Prestando quod tenetur in quodam redditu annuali tresdecem solidorum et quatuor denariorum de illa terra jacente ex occidentali parte del Cukystoll inter terram Rogeri bouer versus boream ex una parte et terram que fuit Duncani apwart versus austrum ex altera de qua terra recognouit quod defecerant firme duorum terminorum scilicet Sancti Martini et Penthecostes ultimo preteritorum non solute qam summam promptam in manu sua habuit et se paratum ad soluendum optulit cuicunque jus in dicto redditu habenti et legaliter recuperare potenti.

Curia tenta die lune proximo ante festum Natiuitatis beate Marie virginis in domo Andree Bissap in vico castri.

Eodem die Emma filia quondam Bricii de Cragy burgensis de Aberdene secundo citata per Thomam Ernach sergentem burgi contra Johannem filium Laurencii et marioriam filiam predicti Bricii sponse eiusdem Johannis ad respondendum eisdem Johanni et Mariorie super

tenore littere regie de recto prepositis dicti burgi directe qua Emma bis pluries vocata et diuitius expectata nullo modo comparuit et idem Thomas Ernach sergens dictam citationem ad tenementum specificatum in dicta littera regia que suta est rotulo per ipsum legitime fuisse factam optulit se paratum ad probandum per testimonium thome marescalli de Fintreth et ade perny carnificis.

Eodem die scilicet quarto die Willelmus Duncan comparuit in curia ratione cuiusdam plegii in manibus Simonis Gelchach et Thome filii Roginaldi balliuorum burgi per ipsum inuenti de prosequendo contra Phillippum de Gaydouna super iniuriis sibi per predictum Phillippum illatis ut dicebat qui Duncanus apparentiam partis sue aduerse expectans et parte predicta litis pluries vocata non comparente et sergentibus burgi citationes precedentes eidem Philippo se legittime fecisse dicentibus Scilicet Thoma Ernach et Roberto Red suam proposuit calumpniationem dicens quod cum ipse sex annis elapsis ad firmam concessisset quandam domum suam lapideam Willelmo de Abernethy pro termino unius anni Reddendo sibi pro firma unius anni xx s. sterlingorum quam domum jacentem in vico furcarum cum pertinentiis emerat de Galfrido de Gaytouna patre quondam dicti Philippi et in qua diu ante decessum dicti Galfridi vestitus fuerat et saysitus Idem Philippus dictum Willelmum de Abernythy ne in dicta terra sic assedata pacifice morari posset perturbauit per quod dictus Willelmus Duncan
suam sibi conuentionatam penitus amisit et non solum illo anno verum et quinque annis sequentibus dictus Philippus eodem modo penes ipsum et tenentes suos quibus dictam domum assedauerat . . imposuit impedimentum Item dicendo quod cum ipse Willelmus Duncan die Martis sex septimanis elapsis in terra sua eidem domui adiacente lutum fecisset fodiri et equum suum ad cariandum dictum lutum . . Idem Philippus dictum equum iniuste detinuit et modo violento arestauit Estimando wrang et unlaw et ponendo ad dampna sua xl. s. exceptis vi. li. de principali de firmis dicte domus sex annorum preteritorum et super hoc petiit iudicium curie ex quo esset dies peremptoria qualiter deberet recedere Unde propter debilitatem curie balliui continuauerunt diem illum in diem lune in quindenam proximo sequentem et idem balliui dederunt in mandatis Thome Ernach sergenti ad citandum dictum Philippum dicto die iudicium recepturum.

Curia tenta die lune proximo post festum exaltationis sancte crucis.

Eodem die Emma filia quondam Bricii de Cragy . . tertio citata . . pluries vocata et diutius expectata nullo modo comparuit . .

Eodem die comparuit in plena curia Willelmus Duncan cum Alexandro Wtterleyir prolocutore suo ex una parte et Philippus de Gaytouna constituens Johannem de Gardropa suum prolocutorem ex altera Unde predictus Willelmus Duncan petiit rotulationem perlegi que confecta fuit in curia burgi ultimo tenta Super processu litis per ipsum mote contra predictum Philippum Qua rotulatione inspecta et in plena curia perlecta dictus Willelmus petiit a curia iudicium sibi reddi iuxta tenorem rotulationis predicte Ad quod dixit Johannes de Gardropa ex parte dicti Philippi quod ante iudicium redditum vel processum litis incoatum quod dicto Philippo verti deberet in aliquod preiudicium tempestive comparuerat maxime ex eo quod causa principalis illius litis tangebat suam hereditatem Quare de jure non tenebatur respondere sine litera de capella domini regis Ad quod dictus Willelmus dixit quod illa terra cum pertinentiis de qua idem Philippus fecerat mentionem erat sua pura hereditas fideliter empta de Galfrido de Gaytouna quondam patre predicti Philippi et quod de dicta terra sine impedimento alicuius pacifice fuerat saysitus nec de dicta saysina aliquo tempore legaliter eiectus Ad quod dictus Johannes de Gardropa respondebat quod lite super eisdem querelis et articulis ante tunc ut nunc inter ipsos Willelmum et Philippum habitis in dicto tolloneo coram discreto viro Magistro Stephano de Domdouer tunc Camerario Scotie leuata fuit bona et sufficiens assisa proborum virorum et fidelium burgi super jure partis utriusque discutiendo que jurata assisa deposuit dictam terram fuisse dicti Philippi ipso vero Philippo sic manente vestito de eadem Ad quod dictus Willelmus dixit quod si aliqua assisa fuerat proced . . erat inter ipsos dictum Galfridum patrem dicti Philippi et ipsum Philippum set nuncquam de suo consensu et assensu Ad quod dictus Johannes de Gardropa dixit quod et etiam ipso Willelmo Duncan in curia presente assentiente nec aliquo modo tunc contradicente et ad hoc dictus Johannes de Gardropa ex parte

dicti Philippi plegium inuenit in manibus balliuorum et ad hoc verificandum petiit villacum unde balliui petierunt a predicto Willelmo Duncan si in contrarium plegium vellet inuenire qui multis habitis altercationibus licentiam petiit consilium suum adhibendi et de consilio suo rediens tandem in forma petita per balliuos plegium inuenit Unde balliui statuerunt utrique parti eorum dietum diem ad comparendum scilicet diem lune proximo post festum beati Michaelis Archangeli dicto die villacum receptur . .

Curia capitalis tenta die lune proximo post festum beati Michaelis Archangeli primo vocati fuerunt ruremanentes absentibus remanentibus in admerciamentis.

Burgenses rure manentes.

Roginaldus filius Alani.
Willelmus de Fingask.
Magister Walterus Blakwater.
Jacobus de Culletenachy.
Johannes filius Alexandri.
Johannes de Gardropa de Mernes.[a]
Willelmus de Melgedrum.
Ricardus Murref.
. . . Nicholay de Salchop.
. . . Domini Johannis Flemyng militis.
Nigelius filius Petri.
Alloas de Der.
Patricius de Achinlevyn.
Adam de Rane.
Roginaldus de Ran.
Dominus Alexander Freser
Robertus More.
Dominus Walterus Bercley.
Johannes filius Hugonis.
Simon Fraser.
Magister Stephanus.

[a] 'John de Wardroperisthon, son and heir of the late Andrew of Wardroperisthonn in the Marnys,' grants a Charter in favour of Sir John de Inchmartyn, knight, of all claim which he had to the lands of Wardroperisthon for a certain toft and croft, and one acre of land adjoining, in the territory of Inchemartyn, conceded to him by the said Sir John, and also for a certain toft and croft, and a certain piece of land called Cokisland, in the Myrsyd of Inchemartyn, given by the said Sir John to David, brother of the said John de Wardroperisthonn, sealed with the seal of the said John, along with the seals of Sir Gilbert de Hay, and Sir John of Cambrun, knights; witnesses, Maurice, bishop of Dumblane, Symon, abbot of Scone, William of Mortimer, Reginald of Kynnard, and Thomas Buan, burgess of Perth, with many others.

The said John, and David his brother, sons of the late Andrew of Wardroperisthon, grant a Charter in favour of the said Sir John de Inchemartyn of the lands of Wardroperisthon, sealed with the seals of the said John and David, and the seals of Sir Gilbert de Hay, constable of Scotland, William of Montifichet, and John Gill, alderman of Perth, Dated at Perth, Monday, in the Feast of St. John the Baptist, 1331. (Charters of Lord Airlie at Cortachy Castle.)

Johannes de Fyngask.
Ricardus de Rossnyet.
Johannes Bolgenach.
Hugo Bercley.
Bethinus filius Constantini.
Johannes filius Henrici.
Johannes Brwnyng.
Philippus Clericus.
Thomas de Sancto Claro.
Thomas Camerlie.
Adam Story.
Willelmus de Berwyico.
Malcolmus de Hadingtouna.
Johannes filius Malcomi Bolgy.

Eodem die de precepto balliuorum leuata fuit bona et sufficiens assisa fidelium virorum burgi magno sacramento interueniente juratorum quorum nomina sunt inferius scripta de rei veritati dicenda super querelis motis inter Willelmum Duncan et Philippum de Gaytwn iuxta formam plegiorum per predictos Willelmum et Philippum in manibus dictorum balliuorum inuentorum prout in rotulatione inde confecta plenius continetur Qui jurati dicunt quod illa assysa que procedebat tempore Magistri Stephani de Domdouer[a] tunc camerarii Scotie erat inter Galfridum de Gaytouna patrem dicti Philippi et ipsum Philippum et non inter ipsos Willelmum Duncan et Philippum sed ipse Willelmus presens tunc fuit nec in aliquo contradixit Item dixerunt quod dicta assysa deposuit et ipsi jurati deponunt quandam partem dicte terre jacentis in vico furcarum que se extendit in latitudine a lingno posito in muro in signum tempore constructionis domus lapidee in dicta terra versus austrum et domum quondam Thome Slech versus boream fuisse datam Galfrido de Gaytwn in libero maritagio cum Marioria Slech sponsa dicti Galfridi quondam matre predicti Philippi et sic deponunt dictam partem terre cum edificiis in dicta terra edificatis predicto Philippo ratione matris sue jure hereditario pertinere.

Eodem die Walterus filius Randulphi protestatus fuit quod non poterat recuperare feodum suum sex solidorum et octo denariorum annui redditus ipsum contingentis de quadam domo cum fornace jacente in vico del Kyregat quam domum Willelmus filius Gartaneti pistor de ipso tenet ad feodofirmam de duobus terminis ultimo preteritis propter insufficientiam tenementi.

[a] Stephanus de Domdouyr rector ecclesie de Coneueth witnesses a Charter of William de Lambirton, dated on Tuesday before the feast of St. Mary Virgin, 1300. [Reg. Priorat. Sancti Andree p. 120.] His name does not appear in the ordinary lists of great chamberlains.

Eodem die scilicet quarto die comparuerunt in curia Johannes filius Laurentii carnifex et Marioria sponsa predicti Johannis filia quondam Bricii de Cragy actores ex parte una constituentes Dauid Cryn et Alexander Wytleyir suos prolocutores et Emma filia predicti Bricii rea ex altera petens tanequam orphana et puella infra etatem a balliuis prolocutorem pro causa sua defendenda sibi exhiberi Unde littera regia de recto in plena curia perlecta ac multis habitis hinc inde altercationibus tandem per amicos partis utriusque interlocutum fuit super concordia inter partes facienda et de consensu partium et licentia balliuorum in hunc modum informanda videlicet quod partes predicti conuocatis eorum amicis et aduatis probare deberent infra quattuordecim dies proximo sequentes si per aliequam viam compositionis conuenire possent in amore Et si aliquo modo infra dictum tempus non poterint concordare partes predicte sine alicqua premunitione vel citatione premissa personaliter comparere deberent coram balliuis in dicto tolloneo die lune in quindenam scilicet die lune in vigilia Sancti Luce ewangeliste et dicto die ibidem . remoto et electis duodecim viris burgi fidedignis et non suspectis cum duobus superioribus videlicet Rogero clerico et Ricardo de Elgyn magno sacramento grauiter juratis super jure partis utriusque quo ad dictam terram in littera regia specificatam que rotulo suta est declarando et quicquid per eosdem juratos in primis inuentum fuerit et depositum tanquam iudicium redditum pro parte ius in dicta terra habente pure permaneret parte vero non habente ex tunc in illo casu nunequam exaudienda et etiam in partes predictas conuentum fuit in plena curia et obligatum quod si contigerit aliquam partem earum actricem vel defendentem dicto die lune esse absentem vel aliqua premissorum que in curia fuerint concessa contradicere seu repugnare pars illa penam amissionis dicti tenementi curreret in perpetuum et ut omnia ista firmiter seruarent inconcussa pars utracque in manu Thome filii Roginaldi balliui . .

Die Mercurii proximo post festum beati dionisii roginaldus de Ran filius ade de Ran comparens in curia recognouit se ad omnes redditus terras et possessiones ipsum jure hereditario contingentes ratione quondam alicie filie uttingi casterball sponse predicti ade matris sue jacentes infra burgum de Abirdene super resingnatione quorum vel quarum red-

dituum terrarum vel possessionum sibi per predictum adame de Ran patrem suum factam quandam litteram patentem sigillo predicti ade signatam que in curia inspecta fuit et perlecta ostendebat.

Die sabati proximo ante festum sancti luce ewangeliste comparuit in tolloneo coram balliuis johannes de Tolidef gener ade de Ran dicens quod ut intellexerat roginaldus de Ran filius ade de Ran predicti se recognouerat in dicto tolloneo breui tempore elapso ad quosdam redditus terras et possessiones in diuersis vicis et locis burgi de Aberdene jacentes et ipsum ratione alicie quondam matris sue sponse ade predicti jure hereditario contingentes ut dicebat in quibus idem roginaldus nullum jus habuit aut clamium sed ipse johannes.

11*th* *November*, 1398.

Willelmus Dicson deuenit plegius pro Hankyne de Der quod non dampnabit Hankynum Hokeum per ipsum nec per suam imprecationem in dicto neque in facto sub pena vite et membrorum et xl. s. ad usus communitatis sine remissione aliquali.

14*th* *May*, 1399.

Simo Lamb calumpniatus fuit per balliuos quod illegitime incarcerauit quandam mulierem de burgo auctoritate sua ratione officii sui vicecomitis que mulier primo debeat presentari balliuis super aliqua actione qui Simo fatebatur se sic fecisse et super hoc se posuit in voluntate balliuorum.

10*th* *July*, 1399.

Memorandum quod decimo die mensis Julii anno quo supra Willelmus de Camera pater tunc aldirmannus ville deuenit plegius balliuis ville viz^{t} Roberto filio Dauid Johanni Scherar Simoni Benyn et Willelmo Borthwik ad conseruandum ipsos indempnes ab omni calumpnia que potest fieri per regem et camerarium pro pannis laneis worsetis et huiusmodi Thome mercatoris Londonensis testibus Thoma Spryng et Willelmo Andree.

Curia legalis que debebat teneri xxviii. die mensis Julii dilata fuit propter aduentum Ducis de Rothisay usque ad octauum diem sequentem.

27th January, 1400.

Johannes filius Cristini calumpniatus quod fecit homines comitis Morauie secum venire in vilipensionem Mathei Hulk et in perturbatione et in vilipensione balliuorum et officiariorum ville, negauit calumpniam antedictam propterea adjungitur sibi ad suam acquietantiam in octauis presentis curie de dicta calumpnia.

3rd February, 1400.

Thomas Plossy vocatus legitime ad veniendum cum sua probatione contra Robertum filium Willelmi clerici de Elon ut adiungebatur sibi in curia precedente. Non comparauit unde adiudicatus fuit in amerciamento curie Similiter dictus Robertus vocatus ad recipiendum dictam probationem non comparuit, adiudicatus est etc. in amerciamento.

12th February, 1400.

Gilbertus de Kynros calumpniatus quod receptat brasium et farinam in domo in preiudicium communitatis et etiam quod emit brasium et farinam in domo sua antequam presentetur ad crucem et quod detinet paruam tolloniam a firmariis eiusdem negauit dictas calumpnias adiungitur sibi ad suam acquietantiam in octauis presentis curie.

24th February, 1400.

Item Willelmus de Camera filius deuenit plegius pro Johanne Landman Johanne Clabar Petro Trew Colino Cok Thoma Atmede Johanne Dey et uno gareifero anglicis eorum naui et bonis in ea contentis quod non euadent aut recedent aliquo modo per se vel cum naui et bonis antedictis quod si fecerint vel unus aut plures eorum fecerint dictus Willelmus solnet balliuis ville nomine communitatis eiusdem pro quolibet euadente tantam summam ad quantam eorum redemptio secundum estimationem discretorum ville se extendere dinoscatur presentibus tanquam testibus Adam de Benyn aldirmanno Johanne filio Andree Johanne Ledale Nicholao Ledale Johanne Scherar Simone Lamb Johanne Hervy quatuor balliuis et communi clerico.

12th April, 1400.

Balliui inhibuerunt et absoluerunt Willelmum boyl baxter ab officio

suo pistoris per annum quia fregit obligationem suam factam dictis balliuis de venditione panis.

In vigilia Pentecostes, 1400.

Robertus Gwelp adiudicatus est in xlviii. lib. pro concelatione firme sue erga regem una cum amerciamento curie.

19*th July*, 1400.

Johannes de Buchania calumpniauit Alexandrum Forglen quod iniuste ab eo duxit sex futhris petarum . Alexander predictus concessit abductionem unius futhir iniuste propterea est in amerciamento curie.

Item predictus Johannes posuit se in voluntate balliuorum pro iniusta verberatione de ly Schethok commorante in Scethokisley.

Adiungitur Johanni Lambyntoun ad veniendum in octauis presentis acquietando curie se quod non perturbauit curiam maledicendo et inepta verba proferendo Matheo de Balran.

20*th August*, 1400.

Michael de Camera posuit se in voluntate balliuorum pro perturbatione vigilie cum Laurentio Wricht.

2*nd September*, 1400.

Johannes filius Alani faber in amerciamento curie pro perturbatione vigilie pulsando campanam Sancti Fotini.

13*th September*, 1400.

Thomas Johannis faber in amerciamento curie quod inepte locutus fuit in presentia balliuorum Johanni Yhule.

1*st October*, 1400.

Et Thomas Johannis carnifex acquietabit se die Sabbati proximo futuro quod non procurauit nec fecit procurari dominum de Fentoun contra prepositum vel alios officiarios ville Ista acquietantia prorogatur usque aduentum prepositi plegio Laurentio Leth.

March, 1401.

Isti subscripti electi sunt per episcopum et commune consilium ad

discoopericndum et narrandum omnes discordias quas sciunt inter vicinos ville scilicet et easdem discordias pro suo posse mitigandas et cessandas ac etiam si aliqua discordia riota vel briga imposterum accidat inter vicinos ville vel quoscunque alios infra villam Isti subscripti jurati sunt et obligati in presentia domini episcopi ad manutenendum et supportandum balliuos et alios officiarios suum officium contra dictos brigatores facientes in casu quod tales dictis officiariis noluerint obedire.

In prima tenta in pretorio xvii. die mensis Septembris de anno istius libri ordinatum fuit cum communi consilio et totali consensu maioris partis communitatis ibidem congregate quod quicunque burgensis vel alius qui voluerit habere puerum sepultum in ecclesia parochiali si sit infra etatem septem annorum soluet quinque solidos et si sit inter septem annos et quindecim annos soluet sex solidos et octo denarios Et si excedat quindecim annos soluet x solidos secundum quod faciunt omnes alii qui dictam etatem excedant . Et si aliquis puer habeat bona propria cuiuscunque etatis fuerit soluet x solidos.

16*th January*, 1401.

Willelmus filius Roberti carnifex posuit se in voluntate balliuorum quod non facit ad officium suum quod tenetur facere de jure.

17*th January*, 1401.

Willelmus Blyndeele senior Willelmus de Crag et Johannes Vscher calumpniati a balliuis quod ubi Thomas filius Willelmi unus balliuorum duxit Henricum Stephani per se arrestand. et plegios legales inueniend. pro perturbatione ville cum Willelmo Yhung Blyndeele ipsi in vituperium scandalum et pudorem regis et legis ex deliberata intentione dictum balliuum perturbauerunt dictum Henricum percutientes vel volentes percutere bippenes . . . et cultellos extrahendo unde predicti sic calumpniati petierunt auisari qui auisati negabant quod ex deliberata intentione aliquid faciebant in scandalum vel pudorem regis legis vel balliui supradicti et de hoc ceperunt se ad suas acquietantias in die lune proximo futuro ut exigit ordo iuris sed de perturbatione ville posuerunt se in voluntate balliuorum.

4th March, 1401.

Attendens ad barram Matheus de Balran conquerebatur de Patricio Baxter asserens quod panis suus non fuit sufficiens et hoc obtulit se probaturum si necesse esset Thomas Spryng prolocutor dicti Patricii extendebat plegium quod ex quo dictus Matheus fuit balliuus non tenebatur aliquis officiarius ville accusari tali modo dictus Matheus dictum plegium recontrariauit protestando pro rationibus faciendis cum fuerit oportunum Ista tamen differtur ad proximum diem legalem tunc wardandum propter debilitatem curie.

7th March, 1401.

Eodem die accedens ad barram Johannes Bullok asseruit quod dictum fuit sibi per fidedignos quod quoddam judicium fuit contra eum datum ipso non existente in regno sed extra regnum in guerris domini nostri regis Scotie de quadam terra jacente in vico nauium unde coram balliuis et in plana curia obtulit decem solidos et octo denarios debitos ministro domus trinitatis de eadem terra de temporibus transactis Et si maior summa dicto fratri ministro dicte domus vel cuicunque alteri de dicta terra debeatur illam summam etiam obtulit soluendam tunc in pretorio coram balliuis cum tempus adhuc est sibi oportunum ad solutionem dicte summe ut ipse dixit eo quod fuit extra regnum et eadem de causa dictum judicium annulletur.

1*st July*, 1401.

Alexander de Mernys accedens ad barram calumpniauit Mauricium filium Andree asserens quod conduxit ipsum et nauem suam a partibus Rossie usque ad portum de Abirden vel ad australem ferth cum xx. barellis de porpas et coriis et promisit pro naulo cuiusdam barelle viii. d. et pro qualibet dacer corium viii. d. qui Mauricius ut ipse dixit nauigauit ipsum et nauem suam cum predictis bonis ad partes Orcadie contra voluntatem suam et ibidem perdidit octo de dictis barellis de porpas omnino cum dampnis et expensis suis in defectum dicti Mauricii dictus Mauricius negauit dictam calumpniam quare adiungebatur dicto Alexandro ad veniendum in tempore quod exigit ordo iuris ad probandum dictam calumpniam fore veram.

December, 1401.

In prima tenta in die veneris immediate post festum beate lucie virginis ordinatum fuit per totam communitatem quod si templarii et ipsi de regalitate pinsant laganas amodo vel pessimant forum in emptione farine tota farina et lagane reperte in eorum domibus errogabuntur pauperibus per officiarios ville cum adjutorio communitatis.

In prima tenta secundo die mensis Decembris anno etc. cccc^mo^ primo ordinatum fuit per maiorem partem communitatis ibidem congregate quod quicunque receptat aliquos venientes de partibus australibus ubi mortalitas tanta fuit aut eorum bona soluet sine remissione viii. s. prima vice qui tales receptat et secunda vice tales receptatores bannientur de villa.

29th May, 1402.

Thomas paris calumpniauit laurentium de buchania dicens quod iniuste verberauit famulum suum dictus laurentius negauit omnem wrang et unlaw ac etiam iniustam verberationem dicti famuli sed dixit quod fuit quidam conuentus seu contractus inter ipsum et dictum famulum factus quem conuentum in parte perimpleuit dictus thomas dixit quod nullus conuentus fuit cum famulo suo factus sed cum ipso et hoc etiam negauit dictus laurentius adiungitur dicte thome ad probandum legittime in octauis presentis curie quod contractus secum fuit factus et non cum famulo suo.

Curia legalis tenta per Camerarium 12th June, 1402.

Matheus Balram et Simon Lamb deuenerunt plegios pro Johanne Swetsoun et suis quod ille non dampnabitur per anglicos qui sunt in sua custodia et quod non erunt in talibus domibus quo possunt videre secreta ville nec statum et conuersationem burgensium.

Item quod parua custuma si debeatur de suis piscibus et aliis bonis in nauibus contentis soluetur ut de custuma custumari.

16th November, 1406.

In die immediate sequente balliui calumpniauerunt Thomam Spryng quod iniuste perturbauit curiam eo quod dispersonauit ballium Ricardum Fichet sedentem pro judice ad quam calumpniam respondebat dicens quod non perturbauit dictum balliuum et hoc extendebat per plegios dicendo

quod non fuit sibi balliuus quia non fuit electus per totam et integram communitatem et ipse fuerat presens in electione et contradixit et etiam plures alli contradixerunt.

Tuesday after the feast of Epiphany, 1407.

Quo die Adam filius Thome tutor et custos altaris beati Johannis baptiste situati in ecclesia beati Nicolaij de Abirdene protestabatur pro quodam annuo redditu xiiii. s. dicto altari debito et a longis temporibus non soluto de quadam terra jacente in vico qui dicitur ly Nethirkirkgate ex australi parte eiusdem inter terram nunc Willelmi Blakburn ex parte orientali et terram quondam Christofori Haket ex parte occidentali ad quam terram veniens nichil reperiebat distringibile pro dicto annuo redditu preter terram et lapides quos presentauit in curia coram balliuis tanquam primo die huius processus.

1407.

Andreas Mirden posuit se in voluntate balliuorum pro perturbatione ville cum Johanne Gray et pro extraxione cultelli sui ad eundem.

Memorandum quod Adam filius Thome et Willelmus de Kyntor magistri ecclesie reddiderunt bonum computum fidele et finale preposito balliuis et communitati de Abirdene de omnibus receptis suis a primo die introitus sui in dicto officio usque ad sextum diem mensis Februarii de anno Domini millesimo quadringentesimo quinto quo die presentauerunt post compotum suum ut superius datum unam cedulam de debitis dicte ecclesie continentem summam vii. lib. xviii. s. . Et iii^{c} burdis et xl. petras plumbi de cuius cedule summa burdis et plumbo predicti dicti magistri ecclesie onerabunt se in proximo computo suo reddendo.

24th January, 1407.

Thomas Alani Smyth in amerciamento curie quod iniuste expulit quandam mulierem de domo sua ii. s. per assisam.

13th February, 1407.

Johannes Henrici probabit crastina die quod cum naulauit Pigbarn fecit mentionem de dolio beati Nicolaij et Pigbarn in amerciamento curie.

9th January, 1441.

Item Johannes Maar presentauit et perlegi fecit unam litteram papiream Alexandri de Urchart constabilarii de Foress sigillatam cum sigillo Thome Frasser domini de Lovet ad eandem per prefatum Alexandrum procurato In qua quidem littera prefatus Alexander obligabatur datis plegiis videlicet Andrea Cormok et Andrea Hostillar et Eugenio de Foress ad comparendum coram preposito et ballinis burgi de Abirdene in ista curia capitali burgi de Aberdene ad faciendum dicto Johanni Maar de quibusdam bonis que idem Johannis clamat a dicto Alexandro quod jura volunt et requirunt et tamen dictus Alexander non comparuit quare prefatus Johannes protestatus fuit pro jure suo laboribus et expenssis.

9th April, 1442.

Eodem die Willelmus Robertsoun de Elgyne primo die vocatus ad instantiam reuerendi in Christo patris et domini domini ingerami Dei gratia episcopi Abirdonensis occasione octo librarum grossorum monete flandrie debitorum eidem domino episcopo per dictum Willelmum non comparuit quare precipitur sergiendo quod capiat districtum a Rogero Williamesoun plegio pro dicto Willelmo et^{ca} et summoniat eundem ad . faciendum dictum Willelmum in proxima curia legali.

24th April, 1442.

Item eodem die curia auisata concessit Johanni de Douglas balliuo de Elgyne Willelmum Robertsoun conburgensem dicti burgi ad plegium ad curiam suam dicti burgi quem Willelmum procuratores reuerendi in Christo patris et Domini domini ingerami episcopi Aberdonensis calumpniarunt de octo libris grossorum monete flandrie Et prefatus Johannes balliuus assignauit partibus curiam tenendam apud Elgyne hodie ad quindenam et dictus Willelmus dedit Johannem Gray et Andream Traile plegios quod comparebit in dicta curia responsurus et juri pariturus.

20th February, 1451.

The assiss has ordanit that John Traile to fulfill the conditioun made in his obligatioun and yherly to pay xl. s. quhill he bryng hame the blew stane til his fadre and that to be rasit be the sight and ordinance of his modre and of Sir Adam and Thomas his brethir til syng for his fadre Saul

at Sanct Duthawis altar and of the three yheris bigane give it be noght payit we ordane him to pay it at the sight of the personnes befor writtin plegio Roberto Gillespy et dictus Johannes obligauit terram quam habet de patre suo ad servandum dictum Robertum indempnem in presentia curie.

6th June, 1451.

Quo die Johannes Huntar de Culross produxit et ostendit coram preposito et balliuis quoddam transcriptum siue instrumentum publicum sub manu et signo Hugonis Kew de Den notarii publicii continens copiam cuiusdam carte quondam recolende memorie Dauid regis Scotorum illustris quod abbas et conuentus monasterii de Culross et homines inhabitantes terras suas liberi sint et esse debent per totum regnum Scotie ab omnibus tributis vectigalibus talliagiis theoloniis taxationibus priuatis collectionibus et omnibus aliis demandis et oneribus secularibus uniuersis Et quod nullos ipsos vexare presumat super plenariam forisfacturam regis etca unde dictus Johannes absolutus fuit et conuentus dimissus de ancoragio et^{ca}.

1st October, 1453.

Item eodem die accedens ad barram Walterus de Meldrum procurator et procuratorio nomine magistri de Torpheichin ordinis Sancti Johannis jerusalamitani protestatus fuit solempniter quod non cedat in preiudicium prefato magistro et domui antedicte saisina illa siue intrusio quondam Walteri Giffard et nunc Willelmi Giffard filii sui et heredis in quadam parte cuiusdam terre eedem domui spectantis jacentis in vico quo itur a claue versus domum fratrum beate trinitatis inter terram dicti Willelmi Giffard ex parte orientali et terram dicte domus de Torpheichin ex parte occidentali.

12th May, 1456.

Assisa mature auisata penes calumpniam quadraginta librarum usualis monete Scotie petitarum per nobilem virum magistrum Gilbertum de Haia germanum et procuratorem magnifici et potentis domini Willelmi comitis de Erole constabularii Scotie in hac parte per suas litteras patentes specialiter deputatum ex una a Johanne Howisoun pro eo quod Agnetem de Heryne absque consensu prefati domini comitis maritauit

partibus ex altera auditis alligationibus utriusque partis concorditer per os Johannis de Scrogs deliberauerunt dictum Johannem Howisoun quit et absolutum de dicta calumpnia.

7th October, 1457.

The samyn day it was consentit and statute be the brethir of the gilde, that of ilke brothir of the gilde that beis absent fra the gild courte ilke xv. dayis on Fridai, thai shall pay xii. d. unforgiffin; and quhat tyme that the persounes that ar of counsale be warnyt on othir dayis than the gilde dai for gude caussis to cum to the tolbuth, and thai compeir noght, ilke man at is absent sall pay ii. s. unforgiffin for thair contumacie; bot give thai haue a resonable excusation and caus of absence, that be sene sufficient to thaim that ar present in the tyme, and thir amerciamentis sal be rasit of thaim that ar noght present at nyne howris, or at quhat hour that thai be warnyt and chargit.

2nd December, 1458.

The samyn day it was appoynttit and fullely accordit betuex the aldirman and the commowne counsaile of this burgh on that a pairt, and maister Johne of Levingstoune, vicar of Inuerugy, on that oyir pairt, anens the biggyne of the bryg on the vater of Dee in maner and forme as efter followis, that is to say, at the said maister Johne has tane on hande to be maister and gouernour of the said werk be the sicht and awiss of the Aldirman and consail, to the quhilk werk the forsaid aldirman and consaile sal gif yherly, for the termes of ten yheris, xx. lib. of thar commowne purss.

24th February, 1462.

The samyn day John of Scrogs, Johne Woket, Patrik Baidenach, Johne of Knollis, and Robert Wormot, ane assise chosin betuix Thom Ramson a man to the abbot of Arbroth on that ane part, and Will. Modan on that other pairt, has ordanit that the said Thom Ramson sal cum her in the tolbuith on Wedinsday the second day of March nixt to cum togidder with a man in his hand, and suer quhat siluer at he lent to Will. Modan; and richt sa the said Will. Modan sal bring ane othir man with him, to sueir quhat at his tua sponys war worth at wer laid in wede to the said Thome: that beand done thar sal be justice and law

done to baith the partis as efferis; and gif it failzeis at Will. Modan that day can nocht bring in his hand a man to suer with him quhat at the sponys war of wail, it sall be giffin to the said Thom Ramson in his aith to sueir quhat at thai wer worth.

4th March, 1462.

Eodem die Duncanus de Byrss receptus fuit in liberum burgensem et confratrem gilde ad fauorem consilii sibi concessam pro duabus togis deliberatis histrionibus nostris ad festum pasche eiusdem anni qui prestitit juramentum solitum.

22nd June, 1467.

Item, it is giffin to Johne Henrysoun the pynour to finde the man that he come borch for to Sir Ingerame Bannerman for xxxii. thraw of thak hathir to Sanct Clementis kirk within iii. oukis heireftir to fre him it saisfyit, and gif he findis him nocht he sall content and pay to the said Sir Ingram for the hathir and his clerk fee, within viii. dayis thairefter, xxxii. d., but ony langer delay.

20th June, 1471.

The xx^ti^ day of June, the zer of God a thousande four hundir sewinty and a zer, it is grauntyt be the aldirman and bailzies and hale consale of Aberdene to mayster Johne of Chawmer, persone of Hoye, for the mortificatione of the annuale of mundynis pertenande to the hospitale, the fredome of the craft burges and gilde, quhilkis he will present til ws in pairt of contentatione of the said mortificatione, fre of wyne and al othir chargis for his gud labouris and thankis done and schawin in the saide mortificatione; and the sayde maister Johne has constitut Alexander of Chawmer and Androw Scherar, his procuraturis, to present the saide burges in his absens, and to ressaue the profitis tharof.

11th March, 1474.

Be it made kend till all men be thir present lettres, me James Innes of that Ilk, to be bundin and oblist be the faith of my body to the aldirman and consel of Aberdene, as forsamekle as I haf intromettit with five barnys and thare gudis of umquhile William Rolland, and of my spouss Margaret of Culan, the quhilk gudis extendis til ilke knaf barne to

twenty pundis Scottis, and ilke madyn barne four score of merkis Scottis, that gif ony of the narrest frendis of the said barnys wil ressaue thame within zer and day nixt to cum, that I sal deliuer thame and thair gudis, be the sicht of the aldirman and the counsel forsaid, to thair forsaid frendis gif it plesis thame; and gif thai wil nocht resaif the said barnys and thair gudis, than I obliss me, be the faith of my body, til sustene and wphauld the forsaid barnys in met and claith honestly as efferis, quhil thai cum to perfit age, and than to delmer thame thair gudis, til ilkane thair pairt as said is but fraude or gile, for the quhilkis to be fulfillit and done, I obliss me as said is, baith myself, my landis and gudis, mouabil and unmouabil, my ayris, executouris, and assignais, in stratast stile of obligatione and band. In witness heirof I hafe affixit my seil to thir present lettres at Aberden the xi. day of March, the zere of God M. iiii^{c} lxxiii. zeris.

James, be the grace of God King of Scottis, til our custumaris, ressauouris, and all utheris oure intromettouris of oure burgh of Aberdene, greting: Fforsamekle as we haue componit witht oure louettis alderman, baillies, counsale, and communitie of oure said burgh, and fred thame and ilkane of thaim of all custumis and deweteis, acht or to be acht til ws, of the salmondis and fischingis pertening til our said burgh, alderman, baillies, consale, or communitie of the same, or til ony ane of thame, for the termes of fyve zeris next to cum, fullely to be complete fra the date of thir our lettres, and dischargit the saidis persones of all custumis and dewities acht til ws of the said salmon and fischingis, of all tymes bigane before the date of the same Oure wil is heirfor, and we charge you, and ilk ane of you, straitly, and commandis that ye nor ony ane of zou compel na distrenze ony of the saidis persones abuf writin for ony custumys or dewiteis pertening til ws of salmond and fischingis abuf writin as said is, during the tyme forsaid, under all the hiest pain and charge ze may commit againnes oure Maieste in that part, schauing thir oure lettres to the lordis auditouris of oure chekker for youre discharge. Gevin under oure priue sele at Edinburght the viii. day of the moneth of Aprile, zere of God M. iiii^{c} lxxiiii. zeris, and of oure regne the xiii. zere, prouiding all wayis that the saidis persons tak na fisching nor salmond belonging othir til Inglismen, or til ony of oure liegis apon thame, bot thare awin propre gudis.

4th March, 1476.

Item, the said day Alexander Menzes, aldirman, and Alexander Chaumer of Murthle, admiral deputis, chargit Dauid Blabre, Malvinus Wormot, and Johne Fichet, to be redy witht thair schippes to pas with the admiral in the Kingis seruice the xxii. day of Aprile nixt to cum; the quhilk to do thai haue fundyn souertee thair handis, and landis, and gudis, in presence of the hail court.

17th September, 1476.

The same day, anent the clame made be Johne Wormot as procuratour til a venerable fader, William Abbot of Dere, again Johne the Vauss, familiar til my lord of Aberdene, of the wrangwiss intrometting witht vii. barrell of salmond pertening til the said venerable fader, the said Johne Vaus denyit al wrangwiss intrometting thairof, sayand that he bocht the said salmond fra Adam Bachiler, messinger til our Souerane Lord, quhilk hade power to dispone and sel thaim in the tyme be the Kingis lettres; apon the quhilk denyance the decisione of the said actione and causs was put til ane assise of the best and wourthiast nychtburis and burgessis than beand present, the quhilk assise, the gret aith sworne and diligentli avisit, fand and deliuerit that the said Johne the Vaus had done bot as he suld in the bying and intrometting with the said fisch, sen he had bocht thaim fra the said Adam Bachiler, havand power as said is be the Kingis lettres, quhilkis the assise wald nocht impugne be na way; quharfor the said Johne the Vaus askit at the aldirman and balzeis in playn court, that he mycht be dischargit of the said chalance in tyme to cum.

19th August, 1477.

Item, the said dai the assise deliuerit that Aimy Baxter grantit before thame that scho passit til Lord Forbes, and complenzeit and purchest a lettre at him apon Alexander of Chaumer, nocht cumand before to the aldirman and bailzeis to ask law; apon the quhilk scho was accusit, and furthtwith scho grantit that scho had offendit in faute of knaulage, in the purchessing of the said lettre, baitht aganis the offisars of this toune and Alexander of Chaumer, and summittit hir ply and simply to the

aldirman, balzeis, and consale, to be correkit, and to mak amendis thairfor at the sycht of thaim and at thare wil.

22nd April, 1478.

The xxii. dai of Aprile, the zer of God etc. lxxviii. zeris, anent certane lettres of oure Souerane Lord the Kingis, direct to the aldirman, balzeis, consale, and communite of Abirdene, schawne and opinly red in presence of thaim, thai beand gadderit in the tolbuthe, makand mentioun of certane ambassat of his Hienes to be send to the Duke and Duches of Burgunze, and Ostrage for the good of merchandice and renouation of al priuilegis grantit til the merchandis passing to Brugis in Flandris, and in thaa partis, and for certane commissionaris of this burgh, to be send til his Hienes be the ferd day of Maii nixt to cum, with ful power to conclude apon the passage of the said ambassat, furnist witht expenssis for thare pairt of the samyn ambassat, as in oure Sorerane Lordis lettres mare fullely is contenit: ffor the quhilkis the aldirman, ballies, consale, and communite forsaid, has consentit and ordanit that certane commissionaris, &c., be direct thairupon, and taxis to be maide and raisit as siclike burrowis of the realme dois for the said causs.

27th June, 1483.

It was rehersit be Danid Mengzeis, master of the kirk wark, that it was appoyntit, decretit, and ordanit in lentrin last bypast, the tym of the aldirmanis being in Edinburgh at the parliament, betuix the masownys of the luge, that is to say, Richard Ancram, Andro Murray, James of Barry, Johne Russal, Johne of Kynnernny, and Matho Wrycht, eftir that thai wer frendit and accordit apon certane debate and controuersy betuixt thaim, that gif ony tym to cum thairtftir ony of thaim offendit til uther that war fundin in a faute, for the first faute he suld give xx. s. to Saint Nicholace wark unforgevin, and for the second faute, gif thai fautyt againe, xl. s.; and gif thai fautit the thrid tym to be excludit out of the luge as a commoun forfactour. The quhilk ordinance the masownis forsaidis has ratifiit and approvit this samyn day befor the aldirman and consel, and newlingis oblist thame til obserue the samyn be the faith of thare bodiis.

Item, the samen dai, becauss the aldirman and consel fand and considderit certane controuersy betuixt Richard Ancram and Andro Murray, masownyis, of the quhilk the pain aboue writtin is remittyt thaim at this tym, the aldirman and consel forsaid has ordanit that gif in tym cuming thare be fundyn ony strublance or offence committit betuix thame, that he that beis fundyn in the faute thairof salbe expellit the luge fra that tyme furtht.

1483.

The xix. day of September, zer forsaid, in the tolbuthe, before the bailies of Abirdene in jugement, Dauid Menzes, elder, maister of the kirk wark of the said burgh, declairit that he had ressauit fra Anne Gray, the spouss of Allan Smyth, half a chalder of lyme to the kirk wark for her sepultur at Sanct Eloyis alter, in the paroche kirk of Sanct Nicolace, quhat tym it sall happin hir to decess, to be allowit till hir be quhatsumeuir maister of the kirk wark being for the tym in the name of the toune, in hail payment and contentatioun for the caussis forsaid, of the quhilk the said maister of the kirk wark grantit him fullely content.

22*nd September*, 1483.

Thir ar the names of the burghis beyond Forth that eftir folowis, and the taxt of the samen modifiit be the commissaris of burghis the tyme of the parliament haldin at Edinburgh the xxi. dai of Marche, with continuation of dais, the zer of God M. iiii^{c} lxxxiii.

In primis.

Couper	6	13	4	Bervy	0	10	0
Carrale	2	0	0	Arbroth	2	0	0
Sanct Androis	10	0	0	Abirdene	26	13	4
Perth	22	4	6	Banf	3	0	0
Ouchterardour	1	0	0	Elgyn	3	0	0
Dundee	26	13	4	Foras	6	0	0
Fofare	1	6	8	Narne	2	0	0
Montros	5	6	8	Enuerness	10	0	0
Breching	4	0	0				

7th April, 1484.

The vii. dai of the said moneth of Aprile, the hail communitie being gadderit be publik premunition of the belman and warning of the officeris, has consentit til be extentit to the soume of xl. merkis for thare part of the taxt, quhilk was ordanit til haf bene pait to the expenssis of certane ambaxiatouris, quhilkis past in England for the tretting and concluding of pece, nochtwithstanding that the samyn tax was pait be the communite of before, and deliuerit til Sir Jhon of Ruthirfurd, aldirman for the tym; and for the eschewing of the recognitioun of the fredom of this burgh, the communitie grantit til a new tax as said is. And for the taxatioun of the samyn thai haf chosin James Lesly, Jhon Wormot, Dauid Mathoson, Gilbert the Vaus, Andro Murrey elder, Robert Prat, Richart of Culan, Robert Crag, and Andro Wentoun.

10th November, 1484.

Copia littere misse domino regi.

Souerane Lord, with al maner of humilitie, subiection, and lawe seruice, we recommend ws unto your gracious Hienes, plesit the samyn, to wit, that your seruitour our aldirman, Sir John of Ruthirfurd, at the command of your lettres, has serchit and soacht in all this your pur toune to haf gottin ten lastis of salmond, the quhilkis, as he can sekirly schawe to your hienes, ar not at this tym to be gottin, for the salmond of the last zeiris fischingis ar sald and send in Flandris and uther placis, as is weil knawyn; herfor plesit your gude grace to haf oure common sele to bynd for ten lastis of salmond of this next zeris fischingis, quhare it wil plesit your hienes to cause your factouris to sel thame, we salbe redy to accomplis and fulfill your gracious plesir and desire, your Hienes gevand ws assignatioun therfor to your custumis of this toune at a competent price, as our said aldirman sal agre with your Hienes, to quhom it wil plese the samyn to gif ferme credence, witht gracious expeditioun of the materis concerning the commoun gude and weil of this our pur toune, sen we ar and euer salbe redy at the emplesir and command of your gracious Hienes, quhaise maist nobil serenite conserue oure salua-

tour, I.H.S. Writin under our seil of causis at Aberdene the x. day of Nouembre.

Your most humble and lawly seruitouris and bedemen the consale and communitie of Abirdene.

Til our Soueran Lord the King, &c.

30th November, 1485.

The last dai of Nouembre, the zer of God, &c. lxxxv^to^, the aldirman, ballies, counsale, and communitie of Abirdene, efter the presentatioun, perlectioun, and insinuatioun of our Soueran Lordis lettres, under the signet of the lyon, direct to thame for xiii. lastis of salmond, the said aldirman causit the ballies, consail, and communitie forsaid, to enter in the tolbuthe of the said burghe for expeditioun of the said mater. The quhilkis riply avisit, and ilkane be thame self thare beand present, inquirit, has grauntit, at the request of our Souerane Lord, ten lastis of salmond of this next zeris fisching, and thairuppon, for payment of the samyn x. lastis, thare obligatioun under there common seil, to be deliuerit to the aldirman in the name of our Soueran Lord. The quhilk obligation was red opinly in presence of thaim al, swa that thai be sickyr and souer of the payment of the said x. lastis of salmond, that is to say, xxiiii. libs for ilke last of the custumis of the said burghe, to be assignit to thame for the payment thairof, ay and quhil thai be fullely content and pait for the said x. lastis of salmond; and that inhibitioun be made be our Soueran Lordis lettres til al his custumaris, comptrollaris, and all utheris his officiaris and auditouris of his chekkar, that na payment be made na rasyt be thame fra the dai of the date of this present write, quhil the said x. lastis of salmond be fullely pait and outred. For the securite of the quhilkis, the aldirman, Sir Johne of Ruthirfurd, has bundin him, be his hand, landis, and gudis, to bring sic securite with him fra our Souerane Lord as forsaid is, for the payment of the forsaid x. lastis of salmond; like as he has command of the said burgh thairuppon. And for mare securite the said aldirman, ballies, consale, and communite has causit Sir Robert Leis, publict notar, to subscrive, under his signe manuale, this present act, dai and place forsaidis. (*Sic subscribitur*), Robertus Leis, notarius publicus.

24th November, 1486.

The xxiiii. day of Nouember, the zer forsaide, the aldirman and consale present for the tyme has grantit to William Yonge, the deuotione and profite that happinis be gottin of the prayer bell, for the ringyne of the samyne at sex houris in the evining and xii. houris at noune, for the quhilkis the saide Williame is oblist to mak generale residence and seruice at evinsangis, matutynis, mess, and other diuyne seruice in the queir of Abirdein; ande James of Leslie is becumyne souertie for the saide Williamis gude seruice.

29th November, 1486.

The saide day the aldirman and counsal and communite hes grauntit to doubill the haile clerkschipe of the towne, to be gifin to Robert Huchonsoun for his seruice in the queir and plaing on the organis, as efferis him to do in al diuine seruice for ane zer to be complet sen his entre, quhil he be pait of xx^{li} libs.; and quhar it falzeis of the duplicatioun of the clerkschip, to be pait of the haile toune, and to be pait within ane zer.

30th December, 1486.

Item, it was ordanit be the aldirman and counsale, that Thome Gray, tailzour, for the strublance done in the kirk, and for nicht waking and uther demeritis done be him and his complices, that he sal cum in his lynnyne clathis this next Sonday in tyme of the hie mess witht ane candill of ii. lib. of wax in his hand, bair fute and bair heid, with a louss goune, and offir the samyn candile to Sanct Nicholoss at the hie alter of the samyn; and attour the saide Thomas sal pay x. s. to Sanct Nicholoss werk or he pass out of the tolbutht; and gif euere he be conuickit of nicht waking or sic demeritis bigan, he sal be banyst out of the toune in continent but ony process; and in likuiss, gif ony seruitor of his be fundin conuikit in sic faltis or nicht waking in tyme cumyne, he and thai sal be baneist out of the tone but ony delay.

12th January, 1489.

The samyn day the aldirman, ballieis, consale, and communitie gathreit for the tyme, promittit to gif Robert Huchonsone, sangstar and

master of the organis, alsmekile fee as thai gaf him this zer bigan for his zeris seruice, to be maid deuly as efferis.

25th August, 1490.

The said day the aldirmane, balzeis, consale, and communitie grantit and consentit to formaile watter and landis ony nichtbuyre of the towne for certan zeris, for ane propyne to be gevin to our Souerane Lord, extendinge to lx. lib.

30th August, 1490.

The samyne day comperit Williame Guelp and Cristiane Turinge, his spouss, befoir the aldirman and balzeis, and diuerse of the consale ande communite gathret for the tyme, warnit be the hand bell throw the haile towne, and present thaim ane letter of our Souerane Lordis, under the signet and manuale subscriptioun, the quhilk followis: Weilbelouet frendis we gret you hartlie weile, and fforsamekile as our louet seruitouris, Williame Guelp and Christiane Turinge, his spouss, hes in tak of you a certane fischinge of the watter of Done, and now we ar informit that ye attend tile set the saide fischinge fra our said seruitouris, herfor we exhort and prays you richt effectuouslie that ye prolonge thar takkis, and mak new assedatioun to thaim for our saik, thai payand thairfoir sicklike maile as thai pait obefore; and this ye do as ye will do us singular emplesour, and as ye will we do for you in gret materis in tyme cumyne, and God keipe you Writin under our signet at Strabogy the xxiiii. day of August. James R. The quhilk lettre being rede, seyne, and undirstandane, opinly grantit and consentit that the saids Williame and Cristiane sal haue the saids fischingis at our Souerane Lordis command, sene it was the first request that euere thai war chargit with be his Hienes.

23rd June, 1491.

The saymyn day the aldirman, balzeis, consal, and communite present for the tyme, and gathreit be the premunition and warning of the hande bell throu the toune, at the instance and plesour of ane nobile lorde, Alexander Lorde Gordone, grantit to pay and refunde sa mekile of the Kingis taxt as the saide lorde borrouit fra the balzeis, that was granted till the ambaxtouris passing for his mariage, quhilkis extendis to lxi.

punds and ten schillingis, for his fauoris, gratuiteys, and thankis, done and to be done to thaim in tymes to cum.

23rd February, 1494.

The said day the balzeis, and diuerss of the counsale and communite present for the tyme, grantit leif to Schire Jonhne Prat thar cheplane to pass to Sanct James his pilgrimage, but preiudice to his chaplanry of the croice alter quhill his hame cuminge, Schire Mathow Nicholsone or ony uther cheplane makand ministratione at the said alter to his agane cuminge.

9th September, 1496.

The saide day Alex[r] Menzes, Robert Blinsele, John Cullane, Alex[r] Rede, Thomas Piat, Gilbert Menzeis, Andro Cullane, yonger, Dauid Mathesoun, Alex[r] Gray, and Williame Futhes, was chosin and suorne the greite aithes be the consale ande communitie, warnit and gathreit be prenunitioun of the hande bell throu the haill tone, tile extent 1[d] lib. ymang the haile tone to be gevin in ane propine tile our Souerane Lordis Hienes, for his gude grace of licence gevin to us to remane at hame fra the passage in Ingland, in fortifeing and supleing of the prince of Ingland, Richard, Duk of York.

7th October, 1496.

Be it kend till all men be thir present letters, ws. aldirman, bailzeis, counsale, and communitie of Abirdene, to be bundin and stratlie oblist, and be the tenour of thir lettres, lelelie and treulie bindis and oblissis ws to our continuale familiar seruitour, Robert Huchosone Sangstar, ffor smekle as he is becumin our conducit and feit familiar Sangstar, be the fatht of his bodie, ale the dais of his lywe, to remane with ws personalie, to singe, kip, ande uphauld mess, matutinis, evinsangis, completoriis, psalmis, respondis, antophinis, ympnis, and ale other houris and diuine seruice, to be singin within oure paroche kirk of Abirdene at the letrones, ande by batht festuale and feriale days. Ffor the saide obseruance to be kepit and done, we binde and obliss ws ande our successouris yeirlie to the said Robert, in the soume of tuenty foure markis usuale money of Scotlande, for ale the dais of his lywe. To the pament of the quhilkis we haue assignit, and be thir present lettres assignis to the

saide Robert auchteine markis of the malis of our uver myle, four markis of the fermes of our landis of Bogferlow, ande tua markis of our kirk bred, to be raisit and vptakin at his aune hande at tua usuale termes in the yer, that is to say, Mertimes and Witsonday, be evinlie portionis for all the dayis of his liwe; ande atour, your universite sall vit ws to haue grantit our sang scoule to the said Robert, ffor the quhilkis he sall withall diligence, possibilite, and besines, teche, informe, mak leir, and instruk all barnis under his cair, ande specialie the barnis, burges sonis, natiue borne of this burgh, to singe and play on the organis, to the stuffing, fortifeing, ande uphaulding of Goddis seruice in the saide queir, thai payand him his scolage ande dewiteis according tharto, ande sall uttirlie wait one the uphaulding of Goddis seruice ande instruking of barnis, ande he sall play one the organis in tymes of all divine quhen it is sene expedient be the aldirman, bailzeis, counsall, or the chaplanis of the college of the kirk, one festuall and veik dais, gif the said Robert failzeis in the obseruing of Goddis seruice, or in ony poynt befor writtin, it salbe considderit be the aldirman, bailzeis, and counsall, ande he punyst tharfor in his fie for his demeritis, as thai think maist expedient, and gif the said Robert happinis to failzie in the keping ande obseruing of ony poynt befor expremit, ande beis conuikit thriss tharintill be the aldirman, bailzheis, ande consale, it salbe lesum to thame to dispone apone the said fee till ony utheris quhar thai think mast expedient for the tyme, but ony impediment, exceptioun, or demaunde, age and infirmitie allanerlie excepit, ande we, the saides aldirman, bailzheis, consall, and communite, ande oure successairs, sall warrande, kep, and defende the saide assignatioun of tuenti-four merkis zerlie, and termlie to be rasit be the saide Robert of the malys and kirk bred befor expremit, for all the dais of his lywe for his dailie seruice, to be done in maner and forme befor writtin, all fraude and gill away-put. In witnessing of the quhilkis, we haue appensit our commone seil to thir lettres at Abirdene, the sevint day of October, the zere of God M. iiii^{c} nynty and sex zeris.

I, Robert Huchosone Sangster, oblisis me, be the fatht of my body, to my singular masteris the aldirman, balzeis, consall, and communite of Aberdene, to discherge me of the tua markis zerlie assignit to me of thar kirk bred, quhat tyme that thai mak me siker of tua markis zerlie for all

the dais of my lyve in ony uther strenzeable place, but fraud or gil. In witness of the quhilkis, I haue subscriuit this writ with my hand at Abirdene, the last day of Nouember, the zer of God m. iiii^{c} nynty and sex zeris. *(Sic subscribitur)* Robertus Huchoson manu propria.

9th September, 1502.

The said day, the aldirman, balzeis, counsall, and communite of Abirdene present for the tyme, opinlie warnit be the hand bell throu the haill tone, representand the bodie of the samyn for the tyme, circualie inquerit be the officearis and balzeis, grauntit and assignit to Master Walter Leslie, persone of Menmuir, full power, irreuocabil, and licence perpetuall to big and found ane alter of Sanctis Mongow, and Tovine in the triangall of thar eist end of thar queir for his fundatioun to be maid at the samyn, in honour of the blissit trinite, his blissit virgin moder Mary, Sanctis Nicholace, and specialie of the saidis Sanctis, and grauntit and ordanit to gif him ane autortyve evident under thar common sele tharapon.

21st July, 1503.

The said day, the aldirman, balliess, consal, and communite present for the tyme, representande the bodie of the toune, grantit licence to Johne Mar, ane of thar clarkis of the queir, to pass to the scule till his instructioun, and resauit and admittit Cristy Narne his deput and substitut to the seruing of his saide clerkschipe unto the agan cumin of the saide Johne.

15th September, 1503.

The said day, comperit Jok of Mar, ane of the clerkis of Abirdene, with Alex^{r} Mar and Johne of Mar, his fader and brother, and schew how the toune hed licencit him to pass to the sculis, and that the childe Cristy narne, quhilk he diuisit to haue put in his seruice, was passit fra the sang scule to the gramer scule, and has maide nay seruice in the queir as yit, he being within the tone for him, quharfor he presumis that he sal mak litill gude seruice for him in his absence, sene he falzeit in his presence, tharfor he enterit Thome Chamer to the aldirman and ballieis.

and substitut him under him in his said office of clerkschip, to mak gude seruice and ministratioun in the samyn, to his agane cumyn to the plesour of God and the toune, ande the saide Thome sal gif termlie and zerlie to the said Alex^r^ or Johne the half of al profitis that he gettis of the said office be his aune aithe; for the quhilkis Schire Androw Chamer is becumin souerte batht for his gude seruice and pament, ande gif the saide Thome happinnis to falze in the saide seruice or pament of the half of the profitis of the said clerkschip as said is, thane it sal be lesum to the saide Alex^r^ or Johne to input ane uther childe in the saide clerkschip at thar plesour, it being knawin that he falzeis in his seruice, ande the aldirman ande balzeis, diuerss of the consall and communite, resauit ande admittit the saide Thomas to the seruice of the saide clerkschip; ande attour, Alex^r^ Mar and Johne of Mar oblist thame fathtfullie, be thar handis uphaldin, coniunctlie and seuerallie to pay Schire Androw Chamer tene schillingis Scottis money gif the said Thomas happinis to be put fra the seruing of the said clerkschip or he get samekle profit of the saide office.

23rd September, 1504.

The saide day, the aldirman, ballies, and counsale, and diuerss of the communite gathtreit and present for the tyme, grantit and assignit to Patry Rede, the first lande burges, that euere happinnis to be maid fre to him for ane manuale buk, conuenient for having baptizing ande erding to thar kirk, bocht and resauit fra him the day of this present act.

31st January, 1505.

The saide day, the aldirman, ballieis, ande diuerss of the counsale and communite, representande the body of the towne, riplie avisit, grauntit fre licence and leyf, ande be this present actis licencis and lewis thar familiar clerk Master Androw Craufurde, chapellane perpetuale of Sanct Peteris alter for ale the termes of fywe zeris immediatlie next heireftir, to pass quhareuer he emplessis, prayand for the saulis of the fondouris of the samyne, sayfar as thai may for the bigyne ande reformatioun done and to be done upoun ane tenement and lande pertening to the said alter,

quhilk is ruinouss, and standis in poynt of tynsele without it be reformit, biggit, and mendit.

14*th August*, 1506.

The said day, the prouest and counsale present for the tyme, grauntit licence and leif to Master Thomas Chamer, chaplane of our lady alter, to pass in pilgrimage to Sanct Johne of Anorass.

1508.

Uniuersis pateat per presentes nos prepositum balliuos consules et communitatem burgi de Abirdene . . pro diuini seruitii sustentatione in honorem Dei omnipotentis beatissime virginis marie beati nicholaij et omnium sanctorum dedisse . . nostro dilecto familiari capellano domino Andree Couper musico unam annuam pensionem septem librarum et octo solidorum usualis monete Scotie . . pro suo fideli seruicio et personali residentia infra ecclesiam parrochialem dicti burgi impendendo faciendo et continuando ad celebrationem matutinarum vesperarum completorum missarum ac aliarum horarum quorumcumque tam in choro ecclesia quam ad organa prout in eiisdem certis temporibus elapsis perseuerauit . . faciendo et cantando inde dictus dominus Andreas diuina suffragia et seruitia in dictis choro et ecclesia solita et consueta prout alii conducti cantores in huiusmodi ecclesia in diuinis astringuntur . . In cuius rei testimonium presentibus sigillum nostrum commune est appensum apud Abirdene quarto die mensis Julii anno Domini millesimo quingentesimo octauo.

6*th October*, 1508.

The said day, the prouest balzheis, counsaile, and communite present for the tyme, for wphaldin of diuine seruice, decoring of haly kirk, and plesour of Gode, the blissed virgin Mare, Sanct Nicholace thare patrone, and ale Sanctis, ale in ane voce concordand, grantit, and consentit that ale thare perpetuale chaplanreis, and Sanct Thomas hospital being at thare gift, donatioune, and presentatioun, salbe gevin perpetualie tile

sangstaris that can syng plane sang, ande prik sang at the lest, ande speciale to barnis, burges sonnys, and native menne borne of the toune before ale uthiris, ande ordanit ane autentyve writ to be maide thairapone, ande selit with thare commone sele, perpetualie till endur.

EXTRACTS

FROM THE

ACCOUNTS OF THE BURGH OF ABERDEEN.

ACCOUNTS OF THE PROVOST AND BAILLIES.

1398.

Expense prepositi.

In primis, Willelmo de Camera patri et Simoni de Benyn ad quoddam consilium tentum apud Lychow, iij.lib.

Item, deliberat. episcopo quum jacuit in domo vicarii pro vino, xxxii.d.

Item dat. regi de cageris pro ictu sanguineo per Matheum Pynches ad emendam, vi.s. viii.d.

Item, Willelmo Made pro littera habenda apud Perth, iiij.s. iiij.d.

Item, Willelmo Mure pro commissione habenda ad Willelmum de Camera apud Perth, ij.s.

Item, munus comitis de Crawfurd, vi.s. viii.d.

Item, Alexandro de Keth de lagena vini, xxxii.d.

Item, Duncano filio Johannis, xii.d.

Item, dat. episcopo in taberna Johannis Andree pro v. pint. xxvii.d.

Item, ibidem, dat. Alexandro Senescalli pro iiii. pint. ii.s.

Item, dat. domino Roberto de Erskyn in taberna Blyndsele pro vino, ix.s.

Et ibidem Alexandro Senescalli in vino, iij.s.

Item, Willelmo de Camera et domino Willelmo Lang in taberna Gilberti Kynros pro iii. pintis, xii.d.

Item, dat. episcopo in taberna de Newport, viii.d.

Et ibidem Alexandro Senescalli dat. pro xiii. pint. iiij.s. viii.d.

Et ibidem Willelmo de Camera patri v. pint. xx.d.

Item, in taberna Roberti Dauid dat. Alexandro senescalli et diuersis vicinis ville in diuersis potationibus, xx.s

Item, in taberna Johannis Cristini dat. episcopo ii. lagenae quum episcopus commedebat in domo Willelmi de Camera, v.s. iiij.d.

Item, eidem de taberna Ricardi Rutheen. in Romany,[a] ij.s.

Item, in taberna Johannis Cristini Laurentio Leth et Roberto Dauid cum aliis de communitate x. pintis, xl.d.

Item, in taberna dicti Ricardi, Laurentius de Leth Robertus David Johannes Scherar Borthwik et alii de communitate vii. pint. et j. choppyn, iiij.s

Item, ministro regis qui vocatur Belly ad expensas suas et ad ferrandum equum, xx.d.

Item, hominibus Alexandri senescalli qui fuerunt capti ad expensas suas, v.s.

Item, pro acquisitione arcus gladii et sagittarum cuiusdam hominis dicti Alexandri, xvi.d.

Item, in taberna Simonis de Benyn in vino dat. Camerario, vii.s. vi.d.

Item, Henrico Taillour pro portatione litterarum ad comitem de Crawfurd, xl.d.

Item, nuncio comitis orcadie, ij.s.

Item, ad crucem, xl.s.

Item, in solio custume prepositus antiquus soluit preposito nouo in vino, iiij s.

Memorand. de ix. d. potat.

Compotum balliuorum burgi de a . . .

Item, in taberna Ricardi Lownan dat. communi consilio in pretorio prius aduentum Gilberti de Camera ipsis ibidem sedentibus pro iudiciis falsificatis et domino Willelmo Lang cum Willelmo de Camera et clerico, vi.s.

Item, in taberna Laurentii de Benyn in vino dat. diuersis de villa immediate post ponderationem lane, xxxii.d.

Item, dat. Alexandro Senescalli pro vino ante portam Roberti Dauid, ii.s.

1433-38.

Subscripte summe restant per computa subscriptorum . Et primo de

[a] Romania, vox Italica, potionis species . Du Cange . *sub voce* "Romania."

pede computi Willelmi Scherar et Johannis Blyndseil alias balliuorum, xxiii. lib. vii. s.

Item, de computo Johannis de Scroggis alias prepositi de summis petitis in computo suo non allocandis, xxxv. lib.

Item, de [computo] Johannis Barnet alias balliui residuum totius rentalis unius termini preteriti, xxviii. lib. iiij s. ij. d.

Item, de [computo] Johannis Gray etc. alias balliui residuum totius rentalis unius termini preteriti, xxxiiij. lib. vi. s. ix. d. prout patet in computo Johannis de Fif.

Item, onerandi sunt Andreas de Branche et Duncanus de Clat de computis suis anni preteriti et intromissionis sue.

Computum Thome de Camera prepositi burgi de Abirdene redditum ibidem quarto decimo die mensis Septembris anno domini etc. xxxiiii^to^ coram Andrea Giffard Ricardo de Ruthirfurd Willelmo de Kyntor Gilberto Meignes Johanne Voket Angusio filio Ade Johanne Gray Thoma Umfraisoun Johanne Fichet Andrea Branche Alexandro de Kyntor Johanne de Marr juniore Andrea de Ayncroft et Willelmo Giffard auditoribus computorum burgi per commune consilium eiusdem specialiter deputatis.

Debet dictus Thomas in pede computi sui de claro allocat. sibi allocand. secundum tenorem dicti computi sui, vi. lib. xvij. s. vi. d.

Item, non allocantur per dictos auditores viii. lib. quas petit dictus Thomas pro arris datis super apparatu pretorii burgi de pannis de arrass.

Item, non allocantur xlv. lib. quas asserit dictus Thomas in dicto computo suo remansisse in manibus Duncani de Clat Mathei Fichet Johannis Burnet et Willelmi de Fodringhame tunc balliuorum dicti burgi.

Summa huius debiti, lix. lib. xvii s. vi. d.

Computum predicti Thome de Camera prepositi dicti burgi redditum coram Ricardo de Ruthirfurd Gilberto Meignes Willelmo de Kyntor Andrea de Culane Stephano de Balrony Roberto Blyndseile Thoma Umfrasoun Andrea Branche Andrea de Ayncroft Johanne Voket Matheo Fichet Willelmo Scherar et Simone Blabre auditoribus per commune consilium ordinatis.

Debet dictus Thomas in pede dicti computi sui prout patet in eodem declaro, vi lib. iiij.s.

Item, non allocantur iij.lib. xiii.s. iiii.d. de pensionibus episcopi Sancti Andree, prioris fratrum predicatorum, Gilberte Meignes, et de feodo iudicatoris curiarum burgi de anno precedente hoc computum quia in dicto computo anni precedentis recepit integram allocationem pensionum predictarum, iii.lib. xiii.s. iiij.d.

Item, non allocantur iiii.lib. quas petit idem Thomas pro panno nigro et pipere Alexandri Morisoun vocat. Kowmydmorn, iiij.lib.

Item, non allocantur iiii.lib. iiii.s. iiii.d. debite per Johannem de Vaus de firma de Raake.

Item, non allocantur iii.lib. debite per quondam Laurentium Scot quia habuit plegium sufficiens.

Item, tenetur dictus Thomas onerari de summis subscriptis non expressatis in onere dicti computi sui; primo de xxxiii.s. iiii.d. de firmis botharum mercatorum subtus pretorium.

Item, de vi.lib. xiii.s. iiii.d. de parua custuma nauium de anno dicti computi sui.

Item, de xxxiii.s. iiii.d. de bolla aque de dicto anno.

Item, de xliiii.s. vi.d. de opellis carnificum eiusdem anni.

Item, de vi.lib. xiii.s. iiii.d. pro libertate Willelmi Traile junioris et Johannis de Raburn eodem anno fact. burgensium et fratrum gilde.

Summa huius debiti, xxxix.lib. xviii.s. vi.d.

Pes computi anni tertii prepositure dicti Thome de Camera redditi coram Johanne de Marr juniore decano gilde dicte burgi Willelmo de Kyntor Thoma de Craufurde Andrea de Aynecroft Alexandro de Kyntor Duncano de Clat Stephano de Balrony Roberto Blyndseile Angusio filio Ade Andrea de Culane Patricio de Badenach et Johanne Gray auditoribus computorum officiarorum burgi per commune consilium tempore prepositure Johannis de Fife specialiter ordinatis

Debet dictus Thomas de claro in pede dicti computi sui, xii.lib. iii.s. vi.d.

Item, tenetur onerari dictus Thomas de v.lib. de firmis perticatarum burgi quia leuantur annuatim in festo beati martini quolibet anno tantum de quo termino tantum idem Thomas computauit.

Item, tenetur onerari de iii.lib. xi.s. de opellis carnificum totius anni.

Item, non allocantur vi.lib. quas petit in computo suo pro feodis duorum balliuorum de dicto termino beati martini quia Johannes de Scroggis, prepositus tunc intrans soluit dicta feoda.

Item, debet onerari de iiii.lib. de firmis molendini superioris burgi de dicto termino beati martini.

Item, de xxxiii.s. iiii.d. de bolla aque dicti anni.

Item, non allocantur vi.s. viii.d. de feodo iudicatoris curiarum burgi de termino penticostes dicti anni quia Willelmus Scherar, et Johannes Blyndseile, ballini ceperunt allocationem dicti feodi de eodem termino.

Item, non allocantur iiii.lib. iii.s. iiii.d. quas petit allocari pro firma de rake debita per Johannem vaus.

Summa, xxxvi.lib. xvii.s. x.d.

Item, predicti auditores decernunt summas subscriptas quas dictus Thomas petit sibi allocari in dicto tertio computo suo non esse allocanda nisi super hiis habeat sufficiens testimonium de expensis eorundem.

In primis, xvi.lib. pro expensis suis et Gilberti Meignes commissariorum burgi bina vice ad parliamenta regis.

Item, ix.lib. xviii.s. pro expensis suis Gilberti Meignes, et Johannis Vaus ad unum parliamentum regis eodem anno.

Item, xii.lib. x.s. pro expensis suis Johannis de Vaus et Johannis de Fife, una vice pro conclusione contributionis domine Dalphine.

Item, iiii.lib. quas petit pro cera vino et frumento emptis a Gilberto Meignes pro milite Francie.

Item, xiii.lib. quas petit pro vino et Jantaculo facto in domo sua domino quondam comiti de Marr.

Item, iv.lib. x.s. pro uno jantaculo eiusdem comitis et domini episcopi Abirdonensis fact. in pretorio,

Item, iiii.lib. quas petit pro expensis suis versus Inuerkethyne pro instructionibus Johannis de Vaus.

Summa huius, lxiiii.lib. xviii.s.

Pes computi anni quarti prepositure dicti Thome de Camera, redditi coram Johanne de Marr, juniore, decano gilde dicti burgi, Willelmo de Kyntor, Thoma de Craufurd, Andrea de Aynecroft, Alexandro de Kyntor, Duncano de Clat, Stephano de Balrony, Roberto

Blyndseile, Angusio filio Ade, Andrea de Culane, Patricio de Badenach, et Johanne Gray, auditoribus computorum officiariorum burgi per commune consilium specialiter deputatis.

Debet dictus Thomas de claro, secundum computum proprium, xxvii.s. iiii.d.

Item, tenetur onerari de xv.s. receptis de firmis terre de Scheokisley, de termino beati martini anni etc. xxxvi^{to} infra hoc computum eo quod Dominus Andreas Stewart, miles, cuius exstetit executor dictus Thomas debuit dictam firmam.

Item, de ii.s. vi.d. de firma de Rubislawe.

Item, de vi.lib. xi.s. iii.d. de firmis piscarie de raake de duobus terminis dicti computi.

Item, de xxxi.s. viii.d. de firma piscarie de mydchyngil eiusdem anni.

Item, de xl.s. de firma terre de Hesilhede de termino preterito infra hoc computum.

Item, de iii.s. vii.d. de feodofirma terre communitatis assedate Thome Blyndseile.

Item, de vi.s. viii.d. de feodifirma terre communitatis assedate Johanni de Lowdoun.

Item, de iii.s. iiii.d. de residuo libertatis Willelmi Baxtar, consanguinei Duncani Patricii.

Item, de xx.s. de libertate Roberti Scot fact. burgensis.

Item, de xiii.s. iiii.d. de libertate Johannis tinctoris dict. talp.

Item, de vi.s. viii.d. de libertate Andree Johnsoun dict. Schaklok.

Item, de xxxi.s. viii.d. de libertate Johannis Thomsoun fratris gilde.

Item, de xviii.s. iiii.d. de libertate Johannis de Cadiou de Abirdone fratris gilde.

Item, de xxxiii.s. iiii.d de libertate Willelmi Johnsoun, de ouer Westertown, fratris gilde.

Item, xxv.s. de libertate Andree Mathisoun, siue de fine fact. cum eodem.

Item, de xx.s. vi.d. de libertate Alexandri Voket, Willelmi de Buchane, Johannis Henrici de Grene, et Ade Liddale fratrum gilde de nouo fact.

Item, de v.lib. de libertate Willelmi Coly, fratris gilde.

Item, de iiii.lib. de libertate Willelmi de Rettre, fratris gilde.

Item, de v.s. i.d. de libertate Henrici Fraser, fratris gilde.

Item, de xl.s. de libertate Themani aurifabri, fratris gilde.

Item, de liii.s. iiii.d. de libertate Johannis Sleich, fratris gilde.

Item, de quinque libris de libertate Willelmi Donaldi de Marr, fratris gilde.

Item, de xi.s. de carnificio dicti burgi ultimo illas tres libras de quibus se onerauit.

Item, summe subscripte petite per dictum Thomam in computo suo sibi allocand. non sunt allocabiles ut videtur dictis auditoribus.

In primis, x.s. dat. Willelmo Liale fabro.

Item, xl.s. dat. Magistro scolarum.

Item, xxx.s. dat. Thome Crab.

Item, xxxvii.s. predict. pro uno Godispenny.

Item, xl.s. pro expensis dicti Thome expectan. aduentum balliuorum burgi tempore scaccarii regis.

Item, xl.s. expend. super fabricam molendini inferioris burgi.

Item, tenetur dictus Thomas onerari de v.lib. viii.s. de illis quadraginta libris concessis per communitatem ad fabricam noue portus quia Magister Nicholaus carpentarius fatetur se recepisse de eisdem triginta quatuor libras et duodecim solidos tantum.

Item, predicti auditores reperiunt in dicto computo in diuersis locis eiusdem pro feodo Patricii Piot iii.lib. xix.s. viii.d. de quibus allocat. xxii.s. tantum considerato quod habuit libertatem burgi pro laboribus.

Item, dicunt quod quatuor denarii de die sufficerent Johanni de Spens. cum prandio suo, et non allocant xvii.s. ii.d. per computantem asserit dat.

Item, non allocant vi.s. iiii.d. dat. Roberto de Kynross, quia ipse asseruit quod post quatuordecim dies inceptionis noue portus venit ad opus licebit computans asseruit ipsum venisse quarto die prius huiusmodi inceptionem.

Item, de illis sexdecim libris petitis per computantem pro expensis commissariorum burgi factis tempore consilii Regis post festum beati Michaelis auditores allocant tantum vi.lib. dat. Johanni de Vaus eodem tempore et sic non allocantur decem libre de dicta summa.

Item, penes illas octo libras quas petit dictus computans sibi allocari pro mensa Magistri Nicholaij carpentarii diebus feriatis durante opere noue portus fatetur dictus Magister Nicholaius se diuersis diebus feriatis cum dicto Thoma comedisse de quorum numero

non recordatur et ideo cupiunt auditores dictum Thomam de numero predictorum dierum informari pro quibus libenter volunt rationabiliter allocare.

Computum Johannis de Scroggis patris, prepositi burgi de Abirdene, redditum ibidem coram Johanne de Marr, decano gilde dicti burgi, Willelmo de Kyntor, Thoma de Craufurde, Andrea de Aynecroft, Alexandro de Kyntor, Duncano de Clat, Stephano de Balrony, Roberto Blyndsele, Augusio Ade, Andrea de Culane, Patricio de Badenach, et Johanne Gray, auditoribus computorum per commune consilium specialiter deputatis.

Item, oneratur de ii^{c} xxvii.lib. xiii.s. iiii.d. de firmis terrarum piscariarum et molendinorum dicti burgi de terminis beati martini anni etca. xxxvi^{to}

Summa huius onerationis patet.

Item, idem oneratur de termino penticostes anni etc. xxxvi^{to} de firmis terrarum de Garoun, de Schethosley, de Heslyhede, de Rubislaw, et de molendinis iusticiarie et fullonum, de xii.lib. vi.s. viii.d.

Et de piscaria de raake eiusdem termini, xxxv.lib. xvii.s. iii.d.

Et de xxxiii.lib. ii.s. de piscaria de Mydchyngil eiusdem termini.

Et de xxviii.lib. v.s. de piscaria de pott.

Et de xi.lib. xxii.d. obtent. de piscaria de furdis.

Et de xxx.lib. de piscaria aque borealis.

Et de ix.lib. x.s. de Cruis.

Et de xiii.lib. v.s. de tollis firlottarum.

Et de iii.lib. iiii.s. ii. d. de parua custuma nauium.

Et de l.s. de redditibus perticarum.

Et de xxxiii.s. iiii.d. de firmis botharum subtus pretorium.

Et de xxxv.s. de carnifice.

Et de iii.s. iiii.d. de feodifirma terre communitatis debita per Thomam Blyndseile annuatim.

Et de vi.s. viii.d. de feodifirma terre communitatis assedate Johanni de Loudoune annuatim.

Et de xxxiii.s. iiii.d. de bolla aque de anno computi.

Et de xli.lib. xx.d. pro lucra prepositure dicti Johannis de anno comput

Summa totalis onerationis, iiii^{c} liii.lib. viii.s. viii.d.

Subscripte summe petite in computo Johannis de Scroggis predicti non sunt allocabiles.

In primis, xx.s. de expensis unius transeuntis uersus Dumbertane cum literis burgi.

Item, vi.lib. dat. Johanni de Vaus in Flandria pro tribus libris grossorum.

Item, vi.lib. xviii.s. per decidentiam cedularum exituum itineris Camerarie.

Item, vii.lib. viii.s. vi.d. nunc in manibus Johannis de Vaus de firma sua piscarie de Raake.

Item, iii.lib. in manibus Johannis Vokit patris.

Item, xiii.s. vi.d. in manibus Ricardi de Rutherfurd.

Item, x.lib. per decidentiam cedule domini de Gordoun.

Item, xxvi.s. viii.d. pro sufflacione organorum.

1453.

Computum Ricardi de Kyntor decani de gylde redditum apud Abirdene quinto die mensis Octobris anno Domini millesimo cccc^mo^ quinquagesimo tertio.

[Pro] Expensis factis per eundem.

In primis in vino domino de Forbas ad festum Sancti Nicholaij. 4s.
Item, domino de Erskyne ad festum carnis preuii, 8s.
Item, domine de Erralle, 4s.
Item, comitisse de Huntlie legina vini rubii, 5s. 4d.
Item, decano Aberdene legina vini rubii, 5s. 4d.
Item, ad le Dutchmen in vino, 2s.
Item, computatorum rotulatori legina vini, 6s. 8d.
Item, eodem quarta maluasy et quarta vini rubii, 3s. 4d.
Item, episcopo Aberden legina vini rubii, 5s. 4d.
Item, computatorum rotulatori veniente ante regem in vino, 3s. 4d.
Item, episcopo Sancti Andree legina vini rubii, 5s. 4d.
Item, Magistro Johanni Seues in vino, 2s. 8d.
Item, in Scakcario in vino, 2s. 8d.
Item, priori de Quhythorne in vino, 2s. 8d.
Item, latamis conductis ad pontem in vino, 2s.
Item, eisdem latamis venientibus cum lapidibus ad pontem in vino, 2s.
Item, conducendo latamos ad operationem claue in vino, 3s. 8d.
Item, domino abbati de Arbrothat in vino, 2s. 8d.

Summa totalis vini, 3lib. 11s. *tenet.*

Item, for mendyng of the bryg at the grene ende in all costis, 1lib. 2s. 6d.

Item, gyffyn at syndry tymys to batis to pass apone schyppis, 8s.
Item, for dychtyng of the nedyr kyrk gate, 1s.
Item, to men that brocht the Kyngis letteris at tuys, 4s.
Item, to War ye le quhen he rede wyth a letter to the kount rollar, 5s.
Item, for mending of the burde of the tolbuth, and makyn of keys, 2s 6d.
Item, giffyne the masonys for the mending of the bryg of Balgony, 24lib.
Item, xii. stane and a half of irne to the bryg and the key, the pryss of the stane, 3s., the sonm, 1lib. 17s. 6d.
Item, tua wethiss of irne, 5s. 4d.
Item, for the makyng of the said irne, 15s. 2d.
Item, for 5 chaldyr of lyme to the bryg and the key, and for the houssyng of it, 1lib. 15s.
Item, for haffyng of lyme to the bryg, 5s.
Item, for sande, 5s.
Item, for haffyng round of burde and treis, 5s.
Item, for heddyr, peatis, and collis, 2s.
Item, for pyks, 4s.
Item, for treis to proppis, 12s.
Item, to the wrychtis, 2s.
Item, to Master Robert masoun, 8s.
Item, to my costis and Sir Jon of Petynuymiss, 10s.
Item, to Wyll Gyffart for the keill, 1lib. 5s.
Item, for the haffyng of hir rounde, 2s.
Item, for barrowis, tubbis, schullis, ryddyllis, 1s. 6d.
Item, for rapis to the keill, 2s.
Item, for the fylling of the keill with staniss to the key, and bryngyng hame of hir, and lossyng of hyr, 6s.
Item, to the masonys for the makyng of the key, 3lib. 5s.
Item, for ii. dusane of hewyne parpannys, 1lib. 8s.
Item, for efter hewyne of free stanys, 11s.
Item, to Gylbert and Dauy for steppis to the key, 20s.
Item, for a hunder band stanys, 20s.
Item, for stanys, 6s.
Item, schenderis and sande, 5s.
Item, to Syre for reddying of the grounde, 5s. 6d.
Item, to Syre and tua othir men to help the masounys, 3s.
Item, to drink syluyr, 1s.

Item, for treis to the brander and the ankyris, 7s.
Item, to Nore, the wrycht, 10s.
Item, for reddyng of clay fra the key, 12s.
Item, for a hillfull of sande to the key, and lossyng and ladying of hyr, 5s.
Item, to Wylle Don for xliiii. dusane of sande and stanys, 1lib.
Item, to Daine of Hoye, 1lib. 6s.
Item, for seruandis to him, 3s.
Item, for berryng of erde to the key, 3s.
Item, for mendying of the priuay in all costis, 9s.
Item, gyffyn Androw Allansoun to ryd to Sterlyng, 2lib. 10s.
Item, to my self, quhene I rade wyth the tax to the Kyng, 3lib.
Item, gyffyne the Kyng for the redemyng of custum of the skynys, 100lib.
Item, for the priuie selle, 12s.
Item, for the gret selle, 5lib.
Item, expendit be Master Jone of Cadyoch, Jon of Mar, and my self, rydande to Edynburgh to the counsall, 6lib.
Item, payit for Wyll of Marris watter maill, at the bydding of the counsall, 1lib. 7s. 1d.
Item, gyffyne Thome Wode at the byddyng of the counsall, 15s.
Item, to Walter Stewart, at the bydlyng of the aldirmane and the counsall, be causs he cuth nocht get it fra the balzeis, 2lib. 2s. 4d.
Item, to the kount rollar to helpe ws in the Chakar, 1lib. 10s.
Item, for tynsell of Henry pennyis, in gadderyng in of tax, 10s.
Item, gyffyn to Kyde, to mak serwyss in the quer, 5s.
Item, to Kylburne, to gyff our his clerkschype, 1lib. 10s.
Item, for a raype to the knok, 3s. 6d.

In Feis.

In primis, to the aldirmane to his fee and potatiounys, 13lib. 6s. 8d.
Item, to Master Jone of Cadeyoch, 8lib.
Item, to the abbot and the priour, 8lib. 6s. viii.d.
Item, to Dauy Lychtoun, 12lib.
Item, to Alexander of Kyntor, 3lib. 6s. 8d.
Item, to Scher Androw Andersoune, 1lib. 6s. 8d.
Item, to Jone Cruxschank for the knok, 2lib.
Item, to the dempstar, 13s. 4d.
Item, to my fee, 5lib.

Item, to Wyll Malisoun, anent Alex[r] of Chalmyr his bouth mall, 13s. 4d.
Item, to the blak freris, 1lib. 6s. 8d.
Item, to the bysschope of Sant Androwis, 1lib.
Item, to Tulchis ayris, 13s. 4d.
Item, to the Trinitte freris, 10s.
Item, for the expensis made a pone the Kyng in tua dayis, 42lib. 3s. 5d.
Item, gyffyn to the kount rollar for his fauor and supli, in all 15lib.
Item, to the Kyngis officiarris, 2lib.

Summa totalis expendit on the Kyng, 49lib. 3s. 5d.

Item, dictus computans petit pro suis laboribus et aliis minimis expensis per ipsum factis per annum considerari secundum considerationem et discretionem auditoris sui computi.

Discharge, 1548–51.

Item, to Monsour de Termes and his cumpany in vyne, 8lib. 8s.
Item, to ane pursewand in the chepdour, 2 crownis of the sone.
Item, to Barre for remaning upone the taxatioune of the pioners, 2lib.
Item, for euerie zeir the precept of the chakkir, 15s.
Item, for ane precept of Parliament, 5s.
Item, for ane prouisione of wyne to Robert Carnegy and Maister Thomas Meriory Banks at the Turra Court, 6lib.
Item, for twa twne of wyne to my Lord Huntly, 44lib.
Item, to Mr. Hew Monro, 40lib.
Item, to Maister Jon Maistertown, gunner, 13lib.
Item, to Hallibrand Menzeis, 21lib.
Item, to Dauid Colwyne, 15lib.
Item, to the Kingis sonis for four gallownis of wyne, 1lib. 12s.
Item, to the Bischop of Orknay tua gallownis of wyne, 16s.
Item, to my Lord of Ross thre gallovnis of vyne, 1lib. 4s.
Item, to my Lord Huntly, quhen he come out of Ingland, four gallownis of wyne, the price, 1lib. 12s.
Item, to my Lord Sudderland, and the Shiref of Murray, and the Bischop of Caithnes, iiii. gallownis of wyne, 1lib. 12s.
Item, to William Jamesoune to mend the keyheyd, 9lib.
Item, to Gilbert Menzeis, younger, for passing witht the tounis seall to Edinburght, to seall the peace, 16lib.

Item, to Walter Cullane for ryding to Edinburght the sam tym, 8lib.
Item, for making of ane bill be Nicholl Robertsoun, gewin in to the Lordis for the debait of the taxt betuix the toun and Old Aberdeen, 1s. 6d.
Item, to Ross harrat [herald] for executione of the same, 10s.
Item, for bringing ouer of the kaippis on Corpus Christis dayis, three zeris, 12s.
Item, to the boitt of Villeam Dauidsone in Torre, that past on a fremen man, 2s.
Item, to Johne Baxter, that past on ane Hamburght man, 2s.
Item, to Villeam Dauidsone to pass on vii. Frenchemen with utheris, 5s.
Item, to ane boit of Futty to pass on ane Norroway man, 2s.
Item, to Jo[n] Malysone to pass on ane wther Norroway man, 2s.
Item, to ane boit of Futty the m[aster] therof, Androw Nicolsone, to pass to ane Hamburght man, 2s.
Item, to pass on ane Frencheman callit Loyis Brantofir, deliuerit Wat Andersone 2s.
Item, to pass on ane Hamburght man callit Paule, 2s.
Item, to pass on ane Frencheman callit Venian Canenant, 2s.
Item, to pass on Symon Mowett, 2s.
Item, to Jo[n] Malisone to ane uther Norroway man, 2s.
Item, to ane uther Hamburght man with salt, 2s.

Charge, 1581–1582.

The ix. day of May, &c., four scoir and twa zers, thir names eftir following maid burgessis, as gentillmen nocht to be occupiaris nor handleris witht merchandes, *gratia consilii*:—

My Lord Erll Huntlie
Sir Adam Gordon of Auchindown.
Sir Valtir Ogilvie of Fyndlatir
Geo. Meldrum of Fywe
Jon. Gordon of Petlurge
Ja. Gordon of Haddo, younger
Ja. Gordon of Carneullie
Androw Meldrum of Drumbrek
Geo. Gordon of Creche
Alexander Gordoun, apperand of Lesmoir
Pa. Gordoun of Sachin
Pa. Gordoun of Brako
Wm. Leytht of Lykleheid
Jon. Gordon of Carnburro
Jon. Settoun of Lumfurt

Vm. Meldrum of Baddinskeytht
Jon Gordoun of Kennerty
Pa. Gordoun in Daach
Mr. Frances Cheyne
Jon. Hammyltoun.
Jon. Gordon, brother to the Lard Crage
William Trupe
Jon. Gordoun, son to Robert Gordoun
Valter Barclay of Drumdelte
Mr. Jon. Duff of Cragheid
Jon Gordoune of Newtoune
Dauid Gordoun in Neddiroubre
Ge. Gordoun of Auchmangze
Alexander Gordoune in Steinhous of Gyght.
Alex^r Gordoun of Baldurnie
Pa. Meldrum of Iden
Alex^r Murray of Coberdie
Ge. Gordoun of Clockrachy
Vm. Gordoun, apperand of Gyght.
Ge. Gordoun, son to Jon Gordoun of Carnburro
Thomas Gordoun of Segydene
Jon. Gordoun of Tillielt
Ro^t Gordoun of Sachok
Ja. Gordoun, son to the Lard Haddo
Pa. Joustoune, son to Ja. Jonstoune
Alex^r Jonstoune in Tarves

Discharge.

The xxviii. day of December, &c., four scoir and twa zeir, at the command of prowest, baillies, and counsall, send to my Lady Merchall, in Mr. Robert Chalmer's houss, ane gallowne of wyn, witht four boistis of confectiounis succur, cost, 2lib. 14s. 4d.

The secund day of Januar heireftir, boycht at the command of provest, baillies, and counsall, ane barrell salmond, quhilk vas send to the clerk of register for his travell in the tounes efferis: payt for the sam, 18lib.

Item, payt to the skypper of the boitt to delyuer the said barrell fre in Leytht, 6s. 8d.

Item, payt to the boy of the boit, to bryng the barrell to the boit fra Torrie schoir, 1s.

The xx. day of Januar heireftir, payt for making of the brist of the vyndok tymmer, and also to the grammer skuill, 1lib. 15s.

Item, for twa pair of yrin bandis, 7s.

Item, the tent day of March heireftir, payt for the glessin wyndok to the skoull, contenit twelff futtis, 2lib. 2s.

The secund day of May, &c., four scoir twa zeris, payt to the bringar of

ane writtin fra the provest and counsall of Perth, to keip the xv. day of Junii with the conventioun of burrowis, 6s. 8d.

The third day of May heireftir, I delyuerit to Alex^r Ruderfurd, baillie, at the command of prowest, baillies, and counsall, to mak his expensiss to ryd to my Lord Huntlie in the touns efferis, 6lib. 13s. 4d.

The fyft day of May heirefter, payt, at the command of the provest and counsall, to the bringer off certan wrettis frome Edinbroch to the prowest, 5s.

The aucht day of May heireftir, presentit to my Lord Huntlie, at the command of the provest and bailleis, twa gallownis of vyne, and twelff boistis confectiounis succar, cost, 6lib. 13s. 4d.

The said day, geff to Jon Ray, the post, at the prowest command, for bringing certan wrettings fra Edinburgh, 3s.

Item, payt to Alex^r Cullen, baillie, to gyff ane man to ryn the townis erands till Edinburgh, 2lib.

The xiii. day of May heirefter, payt to the provest for ane pairt of expensiss maid be him in the townis name, according to the act, 3lib. 6s. 8d.

The xx. day of May heireftir, payit to the bringar of ane wrettin from Perth to keip the conventioun of burrowis, 3s. 4d.

The xxiiii. day of May heireftir, payt to Thomas Huntar, cutler, for the Mertymes terme, &c., four scoir ane zeris, for handling the knoks of the toun, 5lib. 10s.

Item, payt to Thomas Dikson, officiar, at the command of ane act, quhilk he geff to Chakim, to ryn to Sanct Androwis the touns erands, 1lib. 10s.

The xxvii. day of Julii heireftir, payt, at the prowest command, to the pursephunt that com witht ane charge to the baillies and custumeris, to mak ther chakkir comptis, 10s.

The saxt day of August heireftir, payt at the command of the provest and baillies to the sam pursifant to continew lettres of horning upoune the baillies, 2lib.

Item, payt to Alex. Cullen vyff for vyn and schoiretts, and expensiss maid at the apointment makin betuix the toun and the college, 4lib.

Discharge, 1582-1583.

Item, to Thomas Huntar for xiii. fadome of towis to the freiris knok, cost, 6s. 8d.

Item, for irne wark to mend the said knok, viii. lib wecht and ane half, cost, 9s. 8d.

Item, for his labour in working thairof, 6s. 8d.

Item, for beiring Johne Toucheis geir to the corss, and to the officiaris for thair panis, 3s.

Item, for pik to the bak of the orlage, and peittis to melt the samen, and bring in the orlage out of the freiris, and piking thairof, 7s 10d.

Item, for iryne wark to the orlage, bak bandis and claspis, extending to 13lib wecht, summa, 1lib. 11s. 1d.

Item, for helpeing upe the orlage, and towis to heiss the samen, and drink siluer to the boyis, 2s. 8d.

Item, to Jon Couper to causs the toun come in to cast the bar, 1s.

Item, to Jon Couper ane vther day, 1s.

Item, for twa mans laubour tua dayis at the bar, 6s.

Item, for warning ane assyss wpon Hew Jonstoun, 1s. 5d.

Item, for the ferrie boit to carre the folk to the bar, 6s. 8d.

Item, for laying of zeird abut the compass on the Castellhill, 2s. 4d.

Item, for ane key to the Gray freiris loft dur, as they pas to the knok, 4s. 6d.

Discharge, 1583-1584.

Item, for ane gallone of vyne and tua boistis schorterss to the Dein of Murray, 1lib. 16s.

Item, for wyne to my Lord Huntlie and schorters, att his being heir at Candlemiss court, in boistis schorters, aucht gallonis wyne and ane halff, summa, 11lib. 4s.

Item, for sax quarttis vyne and sax buistis dragie, the buist 8s., to the Erlle of Argyil, summa, 4lib. 8s.

Item, to Erlle Marscheal, sex quartis vyne and four buistis schorterss. 2lib. 16s.

Item, to the Erlle of Huntlie, betuixt the 18th day of Julii and the xxiiii. day of Julii, xiiii. gallonis and ane half, witht sex buistis ot schortsthettis, summa, 18lib. 18s.

Item, to the post that brocht the Kingis lettre to gang to the Parliament, 6s. 8d.

Item, for xiiii. daillis and sax ruiff sparris, to big the keyheid port, and to mend the rest off the portis, cost the pece 6s. 8. summa, 6lib.

Item, for Gilbert Willox fie for biging of the keyheid port, and the biggin of the remanent portis, 4 merkis.

Item, in the firste to Alex^r^ Schakgowine for gangin to Strabogie witht ane lettre, 1lib.

Item, to the Laird off Seffurd ane gallone of wyne and four buistis of schortschettis, 2lib. 13s. 4d.

Discharge, 1586–1587.

Item, the xxvii. day of Maii, for making ane testimoniall, and translatting of the same tua seuerall tymes, and sending off the same to Flanderis, to bring hame the Flemingis, 1lib. 2s.

Item, taking away of ane gryt mydding of red forgane the Gray freiris on the hie gatt, 1lib. 9s. 6d.

Item, for passing to Inrugye to my Lord Merschall, to mak answer to ane allegit wrang report maid on the tounis name and myn. for to declair, in horss hyir and expensiss, 2lib. 7s.

Item, for wyne to my Lord Huntlie and spyss, at his being in this toune at Michaelmes, 7lib. 1s 4d.

Charge, 1593–1594.

Item, the same day, Johne Spading maid burges of gild, his compositioun, 22lib. 8s. 10d.

Discharge, 1593–1594.

Item, be vertew of ane ordinance of counsall, of the dait the xvii. of December, 1593, debursit and send to Edinburgh to Alex^r^ Kyng, for rasing of suspensioun of the chargis execut, at the instance of the Erll Merschall, aganis the bischop of Aberdene, for delyuering of the executioun of the new college, and to mak the poistis expensiss, 9lib.

Item, be vertew of ane ordinance of counsall, of the dait the xxi. of

December, 1593, gevin to the bischop, minister, and Mr. Thomas Mollisoun, clerk, appoyntit be the counsall to pas to Edinburgh anent the mater of the exhibitioun of the execution of the new college, to mak thair expensiss, 80lib.

Item, for the hyre of Mr. Thomas Mollisones horss the same tyme, 2lib. 10s.

Item, for the bischoppis horss hyre the same tyme, 2lib.

Item, for the bischoppis denner, supper, and desjoyne, with his tua seruands, the day befor he red, 2lib.

Item, gewin to Robert Gareaucht, messinger, at command of the prouest and baillies, to continew the charges gewin be him, at the instance of the Erll Merschall, anent the summonding of the bischop for the erectioun of the new college, 1lib. 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the third day of Januar, 1593, debursit to Mr. John Cheyne, prouest, for macking of his expensiss, he being commissioner for this burght. for keping of the conventioun of estatis haldin at Edinburgh in the said moneth of Januar, 80 merks.

Item, at the bying be the bailleis of the Fleming schip with salt, hoip, and enzeounis, debursit for the disjoyne, 4lib.

Item, to ane boy to pas to Dunnotter to summond the Erll Merscheall in the mater of the college, and for opening of the lettreis, 10s.

Item, be vertew of ane ordinance of counsall, of the dait the xxii. day of Februar, 1593, ffor wyne drunkin and spent at the croce the tyme of the solemnitie for the birth of the prince, 20lib.

Item, be vertew of ane ordinance of counsall, of the same dait, send to Mr. Willeam Olephant, the townis procuratour, for his panis to persew the actioun of registratioun of the erectioun of the new college aganis the Erll Merschall, twa crownis of the sone, is 6lib.

Item, send to the said Mr. Willeamis servand ane xxxs. peice, 1lib. 13s.

Item, to ane poist to pas with the counsallis letter to Buchan for the prouest to be present at the solemnitie maid for the birth of the prince, 13s. 4d.

Item, the third day of Marche, 1593, for wyne and breid to the communioun, 3lib.

Item, gevin at command of the counsall, to certan schip brockin men that com fra the North seyis, to thair support, 2lib.

Item. the vi. of Julii. 1594, debursit at command of the bailleis for ane lawing upon the brocking of Willeam Dauidsone's tymmer, 1 lib. 4 s.

Item. be vertew of ane ordinance of counsall, of the dait the xviii. day of Julii. 1594, gevin for his expensiss in passing to Striveling to his Majestie, to notifie the arryving of Mr. James Gordoune with strangeris, 40 merkis.

Item. the xviii. of September, 1594, for the disjoyne to the commissioners of the commoun lands, with the prouest and thair cumpanie, 10 merkis.

Item, be vertew of ane ordinance of counsall, of the dait the xviii. of September, 1594, to Alex[r] Forbes, commissioner send be the counsall to his Majestie for ane discharge to the tonne of meting his grace at Dundie, and for sic uthir thingis as war committit to him for macking of his expensiss, 50 merks.

Item, to Alex[r] Checkam, post, for his fie in ganging witht the said Alex[r] Forbes, 3 lib.

Item, be vertew of ane ordinance of counsall, of the dait the xx. of September, 1594, gevin to Issobell Cullen, spous of Mr. Dauid Rutherfurd, for the bankett gevin and maid in his hous at the reconciliatioun of the young men of this toun witht Berrald Innes, 16 lib.

Item, be vertew of ane ordinance of counsall, of the dait the xxv. September, 1594, gevin for ane stand of reid staming to Androw Inglis, swescheman, 9 lib. 7 s. 6 d.

Item, be vertew of ane act of counsall, of the dait the xi. of September, 1594, debursit for ane garment and luifray of blew to Alex[r] Checkam, the townis poist, 5 lib. 10 s.

Discharge, 1594–1595

Imprimis, upon the xxviii. of September, 1594, gevin at command of the prouest and bailleis to Mr. Andro Clerk, for passing to Drummynour, for getting knowledge of the Erle of Argyllis dyett, 4 lib.

Item. to ane boy to gang to the Lastis to tak ane hous to the prouest, 4 s.

Item, to ane boy to pas to Tromp, at command of Alex[r] Jaffray, baillie, 10 s.

Item, be vertew of ane ordinance of counsall, of the dait the secund of October, 1594, for ane chalder of coillis to the kingis hous, 9lib. 6s. 8d.

Item, for bering of thame to Alex^r Jaffray's hous, and houssing of thame, to the warkmen, 6s. 8d.

Item, to the metsteris for metting of the saids coillis, and for arll to thame at the metting thairof, as use is, 5s. 4d.

Item, for careing of the said coillis fra Alex^r Jaffrayes hous, to the Kingis ludging, 8s.

Item, be vertew of the same ordinance of counsall, for the spycerie ordanit to be laid in and gevin to the Kingis hous, quhilk was gevin in the quantitie folowing, viz:—four pund of pepper, price of the pund 34s. is 6lib 16s.

Item, four vnces of safroun, at 32s. the vnce, is 6lib. 8s.

Item, half a pund of meassis, at nyn s. the vnce, is 3lib. 12s.

Item, 8 unces cannell, at nyn s. the vnce, is 3lib. 12s.

Item, aucht pundis sucker, at xxii.s. the pund, is 8lib. 16s.

Item, ane dussone buistis of confeittis, scorchettis, and confectionis, at viii.s. the buist, is 4lib. 16s.

Item, for ane tow to the commond bell, 18s.

Item, for upputting of ane scaffoll, and dountacking thairof, at the execution of Douglas and Litster, 6s. 8d.

Item, to George Annand, ane quart aill, 2s. 8d.

Item, the xiii. of November, 1594, ane ordinance to the dean of gild for finding fyre and candill to the thrie gaird housis at his Majestie and his graces lieutenantis being in this toun, be vertew quhairof thair was debursit for sex stane and a halff of candill, four stane thairof at thrie pund the stane, and ii. stane at thre pund 6s. 8d., restand spend in the said gaird houss betuix the 18th of October and the 13th of Nouember, 20lib. 6s. 8d.

Item, for coillis to the Kingis hous that day his Majestie red away, 1lib.

Item, be vertew of the ordinance aboue wrytin, to the Laird of Carmichell, for ten nights fyre and candill to the horssmenis gairdhouss, 13lib. 6s. 8d.

Item, thaireftir to the said Laird of Carmichaell, for xv. nichtis fyre and candill to the said gaird hous, 20lib.

Item, thaireftir to the said Jon Andro, be vertew of ane ordinance of

counsall, of the dait the fourt of Nouember, 1594, for his panis in forming and registring of the townis discharge, for latting to libertie of the thre strangeris arryving with Mr. James Gordon, ane roiss nobill, at 7lib. 6s. 8d.

Item, be vertew of the same ordinance, likwayes for a pair of playdis to Mr. W^m^ Hart, his hienes justice deput, 10lib.

Item, for stray to the prisoneris in the tolbuitht to ly on, 1s. 4d.

Item, at the prouest and baillies command, gevin to a boy quha was send eftir his Majestie, 6s. 8d.

Item, at command of Alex^r^ Jaffray, baillie, gevin to ane boy to pas to Strathbogie in the townis adois, 11s. 8d.

Item, the viii. of Februar, 1594, for ane galloun of wyne spent at the croce, at command of the counsall, quhen my Lord Duke was maid burges, 4lib.

Item, for viii. buistis of scorchettis and comfeittis, spent the sametyme at the croce, 3lib. 4s.

Item, for xvii. glassis brockin the same tyme at the croce, 3lib. 7s. 8d.

Item, at the same tyme, for naillis and ane tow to hing the tapestrie about the croce, 6s. 8d.

Item, to George Annand and Johne Scott for thair wark thair, 15s.

Item, to the officieris the same day to by thair denner, 6s. 8d.

Item, at my Lord Duke's away passing, spent at the croce, tua buistis scorchettis, 16s.

Item, to my Lord Duke's trumpetours, at command of the prouest, 3lib.

Item, for certan copeis to warne the fewaris to pay thair gressums for thair new landis, 6s. 8d.

Item, gevin, at command of the prouest, to ane boy to pas to Dunnotter, to get knawledge gif the parliament hold, 6s. 8d.

Item, for ane horss to George Straquhyn to pas to Dunnotter, to speik the Laird of Bennym in the mater betuix the toun and him, 3s. 4d.

Item, at the prouest and baillies command, to the Laird of Ludquharne, at his comming to keip the townis tryist with Muckall, tua quartis wyne, is 1lib. 12s.

Item, for tua pair of joggis quhilks ar put on the gibbet, 1lib.

Item, to tua officieris for warning Mr. Richard Irwyng to mak his comptis, 5s.

Item, to Mr. Dauid Rutherfurdis wyff, for the commissionaris disioyne and Ludquharnes, befoir thair ryding out to the tryist betuixt the toun and Muchall, 10lib.

Item, for candill and peattis furneist be the four officieris to the thrie gaird houssis, at his Majestie and lieutennantis being in this toun, 46lib. 13s. 4d.

Item, to Mr. Dauid Rutherfurdis wyff, at the gevin of the bankatt to my Lord Duke, ten pund weycht and a half of sucker at xviii.s. the pund, is 9lib. 9s.

Item, gevin to the said Mr. Dauid's wyff, at the tyme foirsaid, at command of the prouest and baillies, tua dussene buistis of scorchettis, comfeittis, and confectiounis, 8lib.

Item, to the prouest and clerk for macking of thair expensiss as commissionaris to the parliament, conforme to ane ordinance of counsall, of the dait the penult of Februar, 1594, 100lib.

Item, at the counsallis command, to Alex^r^ Cullen's wyff, for the maill of the hous to the Erll Merschall, during his Majesties being in this toun, 20lib.

Item, for the disioyne to the prouest and bailleis, and sic as witht thame in Robert Scheraris, immediatlie quhen thai com from the tryist witht the bischop and auld toun folkis, anent the taxatioun cravit be tham of this toun for uphauld of St. Macharis kirk, 5lib.

Item, conforme to ane ordinance of counsall, of the dait the xxiii. of Julii, 1595, to Thomas Donaldsoun, for the ordinar chargis maid be him to the bischop and sic as visit the townis buikis, 16lib.

Item, be vertew of ane ordinance of counsall, of the dait the 4th of Nouember, 1594, for ane punscheoun wyne, laid into my Lord Chancellaris hous at his Majesties being in this toun, 60lib. 16s.

Item, gevin for tua peckis salt to the hyddis that war send to Strath bogie, 9s.

Item, gevin be vertow of ane act of consall, of the dait the xiij. of February, 1594, to Robert Stewart for tuentie stane weycht of pulder furneist be him to the toun to the douncasting of Strathbogie and Slanis, 213lib. 6s. 8d.

Item, be vertew of ane act of consall, of the dait the xx. of January, 1594, gevin to John Frasser, measone, and uther measonis, craft-

ismen, and pionaris with him for thair expensis in being at the douncasting of Strathbogie and Slanis, 86lib.

Item, gevin to James Stewart for schulis quhilkis war had to Strathbogye, 3lib. 5s.

Discharge, 1595–1596.

Item, in the first to Mackye, the poist, for careing of ane letre to the Laird of Clunye quhen he keist downe the falds of Cabrastone, 6s. 8d.

Item, to Alex^r^ Chackim, poist, for careing of ane letter to the Laird of Dorne, to desyir him to cum to this toun, and accept the office of provestrie, 13s. 4d.

Item, the 7th of October, for Gilbert Guthreis expensiss and myne, and horss hyir to Cowan fair, to searche and charge the forstalliouris, according to ane ordinance of counsall, 9lib 10s.

Item, the viii. of Januar, to the post, to carrye ane letter fra the towne to the brethrene of the ministre of the parliament convenit at Edinburght, desyring thame to dimiss our minister, 6s. 8d.

Item, to the karter for the kareing of Ranye and his wyiff throuche the streittis of this toune, and to the karter quhen thai wer baneist, 5s.

Item, the iiii. of Februar, gevin to Jon Robertsone, burges of Edinburght, in name of Thomas Achesone, maister of his Majesties cungzie houss, for his seruands and John Launies expensiss in tareing heir in this toune, upone the resaitt of his Majesties tochir, according to ane ordinance of counsall, 20lib.

Item, the x. of Februar, to Myll the poist, for his fee to Edinburght, to produce the number of men and armour of this toune at the last wapinschaw, 2lib.

Item, the xv. of Februar, tuk up upon profeitt, to mak my expensiss, W^m^ Mitchells, Andro Hayes, and Thomas Suthirlandis, in ganging to Edinburght to present the said Thomas to his Majestie, and remaning furtht xiiii. dayis, with horss hyir and all, as the particular compt beris, 80lib.

The penulte of Merche, to Adam the poist, for the ganging throuche the haill borrowis of Scotland, to cite thame to the convention haldine at Abirdene the first of Julii, according to ane ordinance, 15lib.

Item, to Alex^r Haye, poist, for ganging to Edinburght with ane messive, for the obtening of a continuatioune of the wapinschaw, 4lib.

Item, for our horss hyir and supperis in Alex^r Forbess houss, quhen we raid to the landimaris, 2lib.

Item, to ane messinger of armes, for the copeis of his letteris proclamit at the croce concernand the discharge of the heland raid, at command of the bailie, 13s. 4d.

Item, for the barrellis, fyre, pettis, and towis, witht ane staik, to execut and burne the witche that wes brunt, 3lib. 10s.

Item, to Gilbert Blak, elder, couper, for ane coill, lyme, and salte mett, quhilk wes restand to him, and he ordanit to be payit according to ane ordinance of counsall, of the dait the xxiii. of Julii, 1595, 6lib.

Item, for ane new coill mett to the said Gilbert, banditt within and without witht yrne, 6lib.

Dischargis, 1596–1597.

Imprimis, for the hyre of fyve horss to the baillie, clerk, and officieris, to ryd up Dee and Doin upone the first of October, 1596, for trying of the slayeris of blak fische, 1lib 13s. 4d.

Item, the same day for thair disione, 2lib. 12s.

Item, the third of October, 1596, for doun bringing of tua cobillis and nettis fra the brig to Torrie, 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xiii. of October, 1596, gevin to Maister Johne Chalmer, in name of the relict of umquhill Johne Guthrie, for the buik of the generall conventionis of burrowis, 13lib. 6s. 8d.

Item, the xxiii. of November, 1596, be vertew of ane ordinance of counsall, gevin to the relict of W^m Allan, sumtyme admirall clerk, to hir support, 2lib.

Item, the sevint of Februar, 1596, presentit to my Lord Erll of Huntleye the wyne and spyceric, at command of the prouest, bailleis, and counsall, 13lib. 5s. 4d.

Item, the xxix. of Aprill, for tua horss to the bischop and his man, to ryd to Gycht and Inverugie, for procuring of peice betuixt the Lairds of Gycht and Benholme, at command of the prouest and baillies, 4lib.

Item, the 19th of May, given to a boy to carie a letter to the Ladye Erroll, for bying of hir victuall, at command of the prouest, 1lib.

Item, the 26th of May, for a horss hyre, to carie Johne Crichtoun to Dunnotter, quha wes apprehendit for a witche, 13s. 4d.

Item, for half a dussone buistis of spyccrie presentit to my Lord of Erroll at command of the prouest and bailleis, 2lib 8s.

Item, gevin the day of the wapinschaw for ane eftirnunes lawing to the bailleis and zouth of the toun that schot pulder that day, 7lib.

Item, the first of Junii, 1597, gevin to Issobell Cheyne, at command of the prouest and bailleis, to heall hir leg quhilk was hurt at the casting of the bar, 1lib. 6s. 8d.

Item, the 20th of June, to Johne Steill in Montrois, in recompance of his wob of playding takin fra him in Laurin fair, anno 1596, be Dauid Cargill, dean of gild, at command of the prouest and bailleis, 3lib. 10s.

Item, for horss hyir and ordinar expensiss maid in keping of Sanct Saris fair be the comptar and Gilbert Guthrie, messinger, 10lib. 10s.

Item, the 5th of August, 1597, gevin to big the buttis in the Trinitie freris yard, at command of the prouest, 4lib.

Item, for horss hyre and expensiss to the comptar and Gilbert Guthrie, messinger, in keping of Lauren fair, 12lib. 5s.

Item, the 18th of August, gevin to Michaell Fergus, poist, for careing of a letter to the bailleis of Brechin anent the plaig, 1lib. 10s.

Item, for horss hyre and expensiss maid in keping of Bartholl fair, 12lib.

Item, the third of September, 1597, gevin to the sklettaris that quenschit the fyir of the Grey freris kirk, at command of the prouest and bailleis, 4lib. 6s. 8d.

Folowis the chargis and expensiss maid upon the four pirattis, viz., Andro Brown, Robert Laird, Johne Jakstown, and Robert Breull, quha wer execut within this burght for the stealling of a ship of Danskin furth of the herbrie of Brunteland in December, 1596 :—

Imprimis, gevin to Johne Andro, clerk of secreit counsall, for raising of chargis to charge the shireff of Abirdene and Kincardin to receawe the saidis pirattis fra the prouest and bailleis of this burght, ane croun of the sone, 3lib. 13s. 1d.

Item, to Alex^r Hay, poist, for ganging to Edinburgh, and bringing hame of the saidis chargis, 5lib.

Item, for horss hyir and expensiss to Gilbert Guthrie, messinger, to ryd to the Mernis and gif the first charge, 2lib.

Item, to Alex^r Hay, poist, the secund tyme, to pas to Edinburgh to bring hame chargis of horneing simpliciter aganis the shireffis of Abirdene and Kincardin to receawe the saidis pirattis, and for registring of the lettres in the shireff buiks of Kincardin aganis Mr. Thomas Leslie, 6lib. 6s. 8d.

Item, for thretteine horss to carie and convey the saidss four pirattis to Dunnotter, 8lib. 13s. 4d.

Item, for our disione that day in Cowye in Mr. Jon Foulartounis, and for horss meall and boyes, 6lib. 13s. 4d.

Item, for our supper at our hame cumming in Alex^r Forbes hous, 4lib.

Item, gevin to James Dauidsoun, notar, for his panis in ryding to Dunnottir, and geving of instrumentis upone the delyverie of the pirrattis, 2lib.

Item, for macking of a gallowis to hing the saidis pirattis, and for garroun naillis and warkmanschip, 1lib. 18s. 4d.

Item, for careing of the gallowis to the blokhous, laying of gryt stones upon the brandering therof, and setting of it, 10s.

Item, to Johne Justice for the executioun of the saidis pirattis, 1lib. 6s. 8d.

Folowis the debursementis maid be the comptar, at command and be vertew of the ordinance of the prouest, bailleis, and counsall, in the burning and sustentatioun of the witches:—

Imprimis, for eirding of Suppak, quha deit in prisoun, 6s. 8d.

Item, for trailling of Manteith throw the streittis of the toun in ane cart, quha hangit hir self in prisoun, and for cart hyir and eirding of hir, 10s.

Jonett Wischert and Issobell Cocker:—

Item, for tuentie leads of peattis to burn thame, 2lib.

Item, for ane boll of coillis, 1lib. 4s.

Item, for four tar barrellis, 1lib. 6s. 8d.

Item, for fyr and irne barrellis, 16s. 8d.

Item, for a staik and dressing of it, 16s.
Item, for four fadome of towis, 4s.
Item, for careing the peittis, coillis, and barrellis, to the hill, 13s. 4d.
Item, to Jon Justice for thair executioun, 13s. 4d.

Thomas Leis:—

Item, the xxiii. of Februar, 1596, for peattis, tar barrellis, fir, and coillis, to burne the said Thomas, and to Jon Justice for his fie in executing him, 3lib. 13s. 4d.

Christen Mitchell, Bessie Thom, Issobell Barroun:—

Item, the 9th of March, 1596, for ane boll and a half of coillis to burne the saidis witches, 1lib. 10s.
Item, for threttie fyve leadis of peattis, 3lib. 10s.
Item, for sex tar barrellis, 2lib.
Item, for tua irne barrellis, 8s.
Item, for a staik, dressing and setting of it, 16s. 8d.
Item, for aucht fadome of towis, 8s.
Item, for careing of the coillis, peattis, and barrellis, 8s.
Item, to Jon Justice for his fie, 1lib.
Item, the tent of Marche, bocht be the comptar, and laid in be him in the sellir on the chappell of the Castellhill, ane chaldir of coillis, price thairof, witht the bering and metting of the same, 16lib. 4s.

Katherine Fergus and Scudder:—

Item, for tuentie sex leadis of peattis to burne thame, 2lib. 13s. 4d.
Item, for sex lead of fir, 1lib. 10s.
Item, four tar barrellis, 1lib. 12s.
Item, for tua irne barrellis, 6s. 8d.
Item, for a staik, careing and upsetting thairof, 13s. 4d.
Item, for sex fadome of towis, 6s.
Item, for careing the barrellis, fir, and coillis, to the staik, 6s. 8d.
Item, to Jon Justice for his fie, 13s. 4d.
Item, the xxi. of Marche, 1596, gevin to Gilbert Bairnis, be vertew of ane ordinance of counsall, for satisffactioun of the expensiss maid be him in sustentatioun of the witches preceding that dait, induring thair remaning in prisoun, 20lib.

Margaret Clerk alias Bean :—

Item, for sexteine laidis of peittis to hir, 1 lib. 15 s.
Item, for four lead of fir, 16 s
Item, for ane oylie barrell, 10 s.
Item, for ane tar barrell, 6 s. 8 d.
Item, for tua irne barrellis, 6 s. 8 d.
Item, for thrie fadome of tow, 3 s.
Item, for the staik, careing and dressing of it, 13 s. 4 d.
Item, for careing of the peattis, coillis, and barellis, to the hill, 8 s.
Item, for careing of four sparris to withtstand the preas of the pepill, quhairof thair was tua brokin, 8 s. 8 d.
Item, to Jon Justice for his fie, 6 s. 8 d.

Issobell Richie, Margarat Og, Helene Rodgie, and Elspet Hendersoun:—

Item, for fourtie four leadis of peattis, 4 lib. 12 s.
Item, four tar barrellis, 1 lib. 10 s.
Item, tua oylie barrellis, 18 s.
Item, for sex leadis of fir, 1 lib. 8 s.
Item, for tua irne barrellis, 6 s. 8 d.
Item, for aucht fadome of towis, 8 s.
Item, for peittis and coillis to try thame in the librarie tua dayes befoir the executioun, 6 s. 8 d.
Item, for a staik, dressing, and careing of it to the hill, 16 s. 8 d.
Item, for careing of the peattis, coillis, and barrellis, to the staik, 13 s. 4 d.
Item, for a spar brokin at the executioun, 4 s.
Item, to Jon Justice for his fee, 1 lib. 6 s. 8 d.

Katherine Gerard, Christen Reid, Jonet Grant :—

Item, for threttie sex leadis of peattis, 3 lib. 18 s.
Item, for thrie tar barrellis, 1 lib. 1 s.
Item, for four dry wair treis in sted of fir, 13 s. 4 d.
Item, for thrie irne barrellis, 12 s.
Item, for tua poyntis of tar, 8 s.
Item, for a staik, dressing, and careing of it, 10 s. 8 d.

Item, for careing of the peattis, coillis, and barrellis, to the staik, 8s.
Item, to Jon Justice for his fie, 1lib.

Helene Fraser, Katherine Ferreis:—

Item, for 25leadis of peattis, 2lib. 18s.
Item, for irne barrellis and dry wair treis, 1lib. 6s. 8d.
Item, for tua poyntis of tar, 8s.
Item, for four leadis of fir, 1lib.
Item, for four fadome of tow, 4s.
Item, for a staik, dressing, and careing thairof, 10s.
Item, for careing the barrellis and peattis, 6s. 8d.
Item, to Johne Justice for his fie, 13s. 4d.

Helene Gray, Agnes Vobster:—

Item, for tuentie tua leadis of peattis, 2lib 15s.
Item, for tua tar barrellis, 16s.
Item, for four dry vair treis, 13s. 4d.
Item, for thrie leadis of fir, 12s.
Item, for four fadome of tow, 4s.
Item, for a staik, careing, and upputting thairof, 10s.
Item, for careing the barrellis to the hill, 5s.
Item, to Johne Justice for his fie, 13s. 4d.

Jonet Douglas, Agnes Imelie:—

Item, for tuentie thrie leadis of peattis, 2lib. 16s. 8d.
Item, for tua tar barrellis, 16s.
Item, for tua irne barrellis and tua dry vair treis, 16s. 8d.
Item, for four fadome of tow, 4s.
Item, for a staik, careing, and setting of it, 13s. 4d.
Item, for careing the peattis, coillis, and barrellis, 8s. 4d.
Item, to Johne Justice for his fie, 13s. 4d.
Item, to him for eirding of tua theiffis at the gallow's fute the same time, 6s. 8d.

Katherine Elshenour:—

Item, for fyir and uthir materiallis to burne the said Katherine Alshonour and ane other witche callit , 6lib. 13s. 4d.

Item, the 23rd of May, 1597, gevin to Gilbert Bairnis, be vertew of ane ordinance of counsall, for sustentatioun of the witches in prisoun fra the 16th day of Marche, 1596, to the 23rd day of May nixt thairefter, debursit be him upone thair ordinar chargis, 50lib. 13s. 4d.

Item, to Alex^r^ Reid, smytht, for tua pair of scheckills to the witches in the stepill, 1lib. 12s.

Item, to Thomas Diksoun in recompance of his halbert, brockin at the executioun of the witches, 1lib. 10s.

Item, to John Justice for burning upone the cheik of four seuerall persones suspect of witchcraft, and baneschit, 1lib. 6s. 8d.

Item, gevin to Alex^r^ Home for macking off joggis, steppillis, and lockis, to the witches during the haill tyme foirsaid, 2lib. 6s. 8d.

The sowme of the haill charges and expensiss maid on the witches extendis to 177lib. 17s. 4d.

Discharge, 1597–1598.

Item, the fourte daye of October, at command of the provost, geve to ane poist of Edinburght, that come witht letters to Mr. Robert Howye, desyring him to com and accept the ministre of ane of the kirks of Edinburght, 1lib.

Item, the 19th of October, to Jon Graye, porter of the new colledge of Sanct Androwis, for his supporte, at command of Mr. Richard Irving, baillie, 2lib.

Item, the 25th of Januar, to Robert Lindsaye, pylot of the new schip, to Hispain, for reward in recompance of his carte presentit and dedicat to this towne, according to ane ordinance of counsall, 26lib. 13s. 4d.

The 14th of Februar, to Alex^r^ Hay, poist, to gang to my Lord Huntlye witht ane messive fra the toune concerning the apprehending of sum men witht false cunzie, 2lib. 6s. 8d.

The 22nd of Marche, for five ellis carsaye to be ane coit to Alex^r^ Muresone, and for making thairof, 3lib. 6s. 8d.

The 2nd of Apryle, for Gilbert Guthrie's expensiss and myn, and horss hyir, in ganging to the Newburght to arreist the boittis witht victuall perteining to certane forstallaris, 2lib. 10s.

The 17th of Apryle, to Robert Garcaucht, for to mak his expensiss to Donand fair to attache forstallaris, 4lib. 6s. 8d.

The 2nd of Maii, for the said Robert his expensiss and myn to the Ruid fair, and horss hyir, to attache forstallaris, 4lib. 6s. 8d.

Item, for the said Robert, for his panis tane in ganging to the said tua mercattis, and denouncing of certane forstallaris to the horne, 2lib.

The 24th of Maii, to Thomas Gordone, gunmaker, for mending the quheills and extre of the towbuithe knok, and fynding of oyle thairto, according to ane ordinance of the sam dait, 5lib.

Item, the 17th of August, to Jon Robertsone, boner in Sanct Androwis, in parte of payment of 40lib., grantit be the counsall to be gevin to him for his transportatioun fra Sanct Androwis to this burght, 20lib.

Discharge. 1598–1599.

Item, conforme to ane ordinance of counsall maid the 3rd of October, to ane post, to pas to Edinburght and Sanct Androwis, and for rasing of lettres on the barronis, to set cautioun for keping the vatteris in forbidden tym, conforme to the act of parliament, 6lib.

Item, for ane protestatioun aganis the comprysing of John Leslie's land to the Laird Petcapill, 2s.

Item, deburst, conforme to ane ordinance of counsall, for the banquett of wyne and desert to my Lord President and his wyff, 13th of October, 42lib. 16s. 8d.

Item, the 18th of October, conforme to ane ordinance of counsall, to Valter Robertson, to mak out fyfty pundis to be giffin to Mr. Robert Howy, 6lib. 16s. 8d

Item, for carcing up of the half of the trinity port to the Castlehill, 1s. 4d.

Item, the 13th of December, be vertew of ane ordinance of counsall, for wyne and spyce to the bischop at his returnyng to this burght fra Germanie, 10lib. 13s. 4d.

Item, the samyn day, be vertew of ane uther ordinance of counsall, for wyne and buistis to my Lord Duik and Erle of Huntly, to vitt, 2 quartis allagant, 2 quartis tent wyne, and 2 quartis clarett, with 12 buistis, thairoff 9 at 9s., and 3 at x.s., 15lib. 11s.

Item, the samyn day, be vertew of ane ordinance of counsall, in support to W^m^. Chalmers, officear, being seik, 4lib.

Item, yit, the samyn day, be vertew of ane ordinance, to Mr. Thomas Cargill, quhilk he haid debursit on the reparatioun of the grammer scuill, 6lib.

Item, the fyift of Januar, at command of the prouest, to twa gentillmen that com fra the Lewis, to help thair expensiss hom, 3lib.

Item, the 17th of Januar, be vertew of ane ordinance of counsall, for ane disione quhilk the bischope and minister gatt in Patrik Forbessis, being sent for to confer anent ane minister, 7lib. 6s. 8d.

Item, the samyn day, to four men of Anssuther that var takyn be the Heland men quen Bulcomy was takyn, to mak thair expenssis hom, 4lib.

Item, the samyn day, at command of the prowest, to twa Lewis men, 6s. 8d.

Item, the 27th of Januar, to uther tua Lewis men, at command of the prowest, 13s. 4d.

Item, the last of Januar, to v. puir men that com fra the Lewis, for thair support, at command of the prouest, 16s. 8d.

Item, the 13th of Februar, for careing up and down of aucht dalis to the clarkis chalmer, and fra the samyn to the Castellhill, quhilk was scaffuld at the painting of it, 2s.

Item, the 23rd of Marche, to Adam Young, post, conforme to ane ordinance, for passing to Edinburght, and to rais lettres of exemptioun fra my Lord Huntleis justice court, appoyntit for calling and accusing of schuturis with gwnnis, and bering and wering thairoff, 15lib.

Item, the 22nd of Marche, to Chacktrum, to cary a lettre to my Lord Huntly anent the taking of vitches, 1lib.

Item, the 28th of Marche, be vertew of ane ordinance of counsall, for i. gallon wyne and i. do. buistis to my Lord Huntly, quhen he com to hald justice on the schutaris and weraris of gwnnis, 8lib.

Item, the 13th of Appryll, conforme to ane uther ordinance of counsall, for ane gallon wyne and sax buistis to my Lady Merschellis velcum to this toun, 5lib. 12s.

Item, the samyn day, to messinger, for the copies of his

Majesties lettres, ane anent the wappinschaw, the uther anent Jesuwatis, the thrid anent fewaris, 10s.

Item, the last of Maii, conforme to ane ordinance of counsell, to Thomas Ballenten, maister of fence, 8lib.

Item, the samyn day, be vertew of the samyn ordinance, quhilk was debursit be Alex[r] Jaffray, bailzie, to the trumpetour, 3lib. 6s. 8d.

Item, 16th Junii, to Ar[d.] Burnet, to summound the Laird Petcapill to see his lettres suspendit, 10s.

Item, the 26th of Julii, be vertew of ane ordinance of counsall, to ane poist to pas to Edinburght, and for purchessing of lettres to discharge the wappinschaw, 10lib. 13s. 4d.

Item, to ane boy, to cary ane missiue to my Lord Huntly for the samyn caus, 1lib.

Item, to ane boy, the 3rd of August, to pas to the Marques of Huntly, to aduerteiss his Lordship of the discharge of the wappinschaw, 1lib. 3s.

Item, the 4th of September, for the wyn in Alex[r] Forbes hows to the bischop, anent the resoluying on Mr. George Greris lettre, 3lib.

Item, the xi. of September, for the disione in Mr. Dauid Rutherfurdis to the bischop, minister, and James Ross, for his acception and resolution, 4lib. 13s. 4d.

Discharge, 1599–1600.

Item, the 16th day of Januar, gett to ane boy to gang witht ane lettre fra the towne to the shireff, desyring him to cum in and hald justice upone certane theiffis apprehendit be the bailleis, 4s.

Item, to James Chalmer for ane tirliss to the sowthe window of the sang scoole upone the castellhill, 12s.

Item, the 17th of Marche, to Mr. Thomas Mollysone for his charges in keping the generall assemble at Montrois, according to ane ordinance of counsall, 13lib. 6s. 8d.

Item, the 26th of Marche, to Mr. Walter Lausone, scoolar, to his supporte, according to ane ordinance of counsall, 2lib.

Item, the 22d of August, to Abacuk Bissat to bring hame letteris of suspensioun raisit aganis the bailleis for the taking of Alex[r] Ewin, 3lib. 6s. 8d.

Item, for the bancat maid in umquhill Alex^{r}· Forbes howss to Mr. Thomas Barclaye, 7 lib.

Item, for horss hyir to Jon. Forbes, ballie, to ryid to Drymminor to my Lord Forbes in the townis adois, 1 lib. 4 s.

Item, for ane pair of joggis that wes put on the meill mercat, 5 s.

Item for ane lok to the same, 2 s. 8 d.

Discharge, 1601–2.

Item, to the porter of the uniuersitie' of Sanct Androis quha brocht letteris fra Mr. Jon. Johnnstone to the towne, 2 s.

Item, to Hucheone Ross for the expensiss maid be him on ane prissoner send in be my Lord Forbes for slaying of blak fische, 10 s.

Item, to the stage playeris, Inglischemen, 22 lib.

Item, to Mareone Cullen for the bancat maid to Mr. Alex^{r}· Haye, 9 lib.

Item, for the stage playaris support that nicht thaye plaiid to the towne, 3 lib.

Item, for twa gallonis and ane halff of wyne to propyne my Lord Erroll and Captane Prestone, 6 lib.

Item for ane disione to the maisteris of the grammer schole quhen thai wer admittit, 2 lib.

Item, to the portar of the colledge of Sanct Androis quha brocht letteris from Mr. Jon. Jonstone, 1 lib. 6 s. 8 d.

Item, for kareing tymber and bigging of the portis at the brig of Dee, 5 lib. 3 s. 4 d.

Item, for fyve lead of peittis to burne the gunnis in the chappell, and for weying of thame, 1 lib. 14 s.

Item, for Jon. Masone and Gilbert Willox eftir nonis drink quhen thai tuik measour of the windois of the towbuithe, 4 s.

Item, to ane poist to carye letteris to the Newburght, Piterheid, and Frasserisburght, that thai suld nocht suffir the boit suspect of the pest to enter in thair herbeoris, 16 s.

Item, to ane boit to gang to the raid to staye Alex^{r}· Burnettis crair suspect of the pest, 8 s.

Item, to ane boit to gang to the raid to speik ane crerar that com witht quhyt fra Sanct Jonstone, 6 s. 8 d.

Item, to ane certane Inglismen that wer schip brockin in Orknaye, at the provestis command, 1 lib.

Item, to ane poist send be his Majestie, to send thair commissionar to keip the convention at Perthe, 13s. 4d.

Item, for ane copye of the letteris to the officiar quha summond the towne to the raid of the Lewis, 6s. 8d.

Item, to ane other boit, to gang to the raid to speik ane schip of Culros that com fra Danskyne, 6s. 8d.

Discharge, 1603-4.

Item, to ane boye to gang to Boighoill to Robert Menzeis, ballie, to caus him cum and accept his office, 3s. 4d.

Item, to ane other boye, to gang to Schedockisleye to Thomas Forbes, ballie, to caus him cum and accept his office, 1s.

Item, to Duncan Donaldsonne, poist, to gang to Edinburght for ane commissione of the secreit counsall to the provest and ballies of this burght, concerning ordour to be takin be thame anent the plaige, according to ane ordinance of counsall, 9 lib. 6s. 8d.

Item, for ane gallone of wyne and sax buistis of confectionis, presentit to my Lord Marques of Huntlye, 7 lib. 12s.

Item, to my Lord Merschellis post, for careing ane letter to Piterheid, and ane uther to Frasserisburght, concerning ordour to be tane for the pest, 10s.

Item, to Tulloche, post, for bringing hame letteris fra the secreit counsall of lyiff and deathe, to be usit aganis the transgressouris of the ordinance maid concerning the pest, 10s.

Item, to Mareone Cullen, for wyne and meitt brocht to the towbuthe to the provost, commissaris, and judges, sitting thair for pacefeing of the trubill that fell out betuix the Kethis and Forbessis, 1 lib 6s. 8d.

Item, to the post that brocht hame thrie loodes of quhyt breid fra Edinburght, Dondc, and Brechin, to try the baxteris witht, 6s. 8d.

Item, to Dauid Crombye, for ureting ane copie of the letteris quhairwitht my Lord Merques chargeit the cuntreye to be in redines to pas upone the ylis, 2s.

Item, to ane poist that com witht ane missiue fra the chanceller, making mention of the prorogating of the parliament, 13 s. 4 d.

Item, for candill to the watche the tyme the souldareis wer in the towne, according to the particular compt thairoff, 4 lib. 2 s. 8 d.

Item, to Douguid, poist, for careing letteris direct fra the towne to Monimusk, Petfoddellis, Drum, Leyis, and persone of Kincardin, desyring thame to keip thair watteris and fuirdis, and that thair tenentis resett na personis cuming frome the Forthe, for feir of the pest, 1 lib.

Item, to mak furtht ane full sowme that wes collectit for the releiff of , sone of Donde, being captive in Barbarye, 1 lib. 13 s. 4 d.

Item, to Fuddes, post, for kareing letteris to the portis of Newburght, Boddam, Collistone, Piterheid, Frasserburght, Bamff, and to my Lord Marques, for taking ordour concerning the pest, 2 lib. 3 s. 4 d.

Item, to Dauid Crombye, for passing throuch the towne to intimat the fast witht the swesche, 2 s.

Item, to the Moir, for sounding the trumpet at the proclaming of our letteris at Witsondaye, raisit upone thame that suld trubill the toune, 1 lib. 4 s.

Item, to Johne Craufurd, for passing to the Secreit counsall to purchese lettres for the discharging of the somer mercattis in tyme of the plaig, 20 lib.

Item, gave the said Jon., inclosit withtin ane letter send to James Primroiss, to raiss the said letteris, according to ane ordinance of counsall, 9 lib.

Item, for charges maid at the corss, in wyne, confectionis, and glassis, the fyift day of August, being the daye of his Majesteis delyuerance fra Gowrye, 8 lib.

Item, for sax quartis of wyne, sax buistis of confectionis, had to the sand nes, quhen the provest departit towards London, 7 lib.

Item, for horss hyir and charges in ryding to the Newburght, to conuene witht the barrons on Ythane syde, for ordour taking concerning the keping of the water mouthe of Ythane in tyme of pest, 1 lib. 10 s.

Item, to ane boitt of Futty, that had Wm. Lousonn, ballie, to the raid, to speik ane bark that com fra the southe, 6 s. 8 d.

Item, to Duncan Donaldsone, post, to gang to Sanct Jonstone to my Lord of Erroll witht letteris direct fra the barronis and town, for ordour takin with his portis of Slanis and Cruden concerning the pest, 1 lib. 6s. 8d.

Item, for Mr. Thomas Mollysonis horss hyir and charges and myne, in passing to Foverane to convene witht the barronis, for ordour takin concerning the pest, 2lib.

Item, the comptar discharges himselff of the sowme of fourtie pundis, quhairin Patrik Leslie wes adiudgit for passing southe in the tyme of plaige but licience, dischargeit be the counsall, is 40lib

Discharge, 1604–5.

Item, spendit witht the Frenschemen that brocht in the apillis heir, being bowne to haif bocht them in presens of the bailleis, 2lib.

Item, mair spendit witht the melleris, Dauid Andersonn, Dauid Cargill, and myself, in taking ordour witht thame anent thair service at Vyndmil, in ane quart of Ingles beir, 4s.

Item, mair gewin to Mr. Thomas Mengzeis, baillie, commissionar to the Marques of Huntlie, for his charges anent the reparatioun of the brig of Done, according to ane ordinance of counsall the 5th day December, 8lib.

Item, mair gewin to Mr. Dauid Wedderburne, maister of the grammer scoill, according to ane ordinance of counsall the 10th of October, 16lib.

Item, mair to Patrik Leslie, dempster, according to ane ordinance of counsall the 6th of Februar, 2lib. 13s. 4d.

Item, mair send to Edinburght, in the Laird of Leyis suspensioun in the mater of blackfische, according to ane ordinance of counsall, to Mr. W^m^ Oliphant and his serwand, and the post, 14lib. 6s 8d.

Item, mair to Caddell the post, to gang to Brechin, at command of the prouest, for inquisitioun of the pest at Killimvir, 1 lib. 10s.

Item, mair to the thrie quarter maisteris, at command of the provest, 2lib.

Item, mair for ane galloun wyne and six buistis of succour to the Erle of Erroll, at his cummand from Ingland, 6lib. 5s. 4d.

Item, mair to W^m. Findlay, calsey maker, to help to repair the theiwes brigis, 3lib. 6s. 8d.

Item, mair to ane litill boy Fergussoun, for proclamand with the swesche man the fast the last of Junii, 2s.

Mair, at the prowestis command, to ane litill boy Garrow, being bown to the eist partis, to help to him ane clock, 1lib.

Mair, spendit witht the Inglischemen in Marioun Cullenis, ane full lawing to thame, in presens of W^m. Gray and Johne Forbes, bailleis, 3lib. 6s. 8d.

Mair, to Johne Craufurd his charges and myne in keping Sanct Serfair, 3lib.

Item, mair to Johne Melving, painter, for painting the armes on the tolbuithe dur, 1lib.

Item, mair to Johnne Craufurd for his chairges in on vyting in Lauren fair, 12s.

Item, mair, the day of his Majesties deliuerie, the fyft of August, for glassis, 1lib. 3s.

Mair, twa quartis Frenche wyne, and ane pynt Cannarie wyne, 1lib. 18s. 8d.

Mair, for thre buistis of succour, 1lib. 12s.

Mair, for ringing of the bellis, 3s. 4d.

Item, mair to Craig the post, to carie twa letteris, ane to Hessalheid, and ane wther to Countesswallis, for ryding of thair merchis, 3s. 4d.

Item, mair to the said Craig the post, to carie ane letter to my Lord and maister of Forbes for staying of Barthol fair, 1lib.

Item, mair to Alex^r. Meldrum for his report send to the towne be Alex^r. Horne and Thomas Ailhous quhen he hard of the pest in Newburght, at command of the prowest, 3s. 4d.

Item, mair to Patrik Leslie, post, to carie ane letter concerning the tryall of the pest at Lumfannen, Hilheid, and to the laird of Leyis and the persone of Kincardin, 13s. 4d.

Item, mair to ane post to carie ane letter to the person of Turreff for inquisitione of the pest at Delgatie, 13s. 4d.

Item, mair to ane serwand of the laird of Tolquhon for careing ane letter fra him concerning the pest at Banf, 6s. 8d.

Item, mair to ane boy of Banf to carie ane letter to the bailleis for ordour taking thair witht the pest, 3s. 4d.

Item, mair send to Edinburght for wreiting and forming of the townes chartour of mortificatioun of fourtie merkis yeirlie, annuelie mortifeit and dotit be Mr. Alex^r^ Hay, clerk of sessione, to the brig of Done, 7lib. 6s. 8d.

Item, mair to ane post for careing of the townis missives to Robert Rasown, wrettar to the prewie seall, for passing and expeding of the said chartour, 3lib. 6s. 8d

Item, mair for ane skyn of parchement to wreit the sesing of the said chartour of mortificatioun, 1lib.

Item, mair for the wyne gewin to Mr. Williame Barclay, bailly, giwer of the said sesing, and to the witnessis present thairat in Marioun Cullenis, 3lib. 6s. 8d.

Item, mair to James Mowat for registring of the said saseing in the secretaris register, and marking thairoff, 6lib. 13s. 4d.

Item, mair to his serwand, drinksilver, 12s.

Discharge, 1605-6.

Item, to the warkmen for kareing the mekill kist furtht of the sessione housse to the counsall houss, 3s 4d.

Item, for meitt and drink in Torrye to Nicoll Manis sone, being chargit nocht to cum to Aberdene for feir he had the plaig, and to the ferrye man, 2s.

Item, to ane fische boit for the ganging abord ane boit of coillis in the raid, 6s. 8d.

Item, to Caddell the poist for ganging to the southest ferrye witht ane letter fra the counsell to Mr. Jon Makbirnye, 2lib. 6s. 8d.

Item, for my expenssis and horss hyir in ganging to the Steinhyve to trye Jon Grayes and Alex^r^ Crukschankis kistis, being cum fra Leytht, and suspectit of the plaig, and to trye the boitt, 1lib. 18s.

Item, for wyne, desserte, and glasses spendit at the cross at the solemnitie maid for the Kingis delyuerance in England, 7lib.

Item, to the messinger that brocht letteris from the counsall, to charge his Majesties lieges to apprehend Thomas Persie and his complices, 1lib.

Item, to Harye Domingo for sownding the trumpet at the proclaming of the saidis letteris, 1 lib.

Item, for twa quartis wyne, and foure boistis of confectionis, to present Mr. Alexr. Haye, lord of Foistiris seatt, witht, 3 lib. 6 s. 8 d.

Item, to ane poist to carye ane letter to the laird of Leyis, to knaw of him gif the parliament beld, 5 s.

Item, to ane boye that past throw this towne witht the belman to proclam abstinence fra fiesche, 1 s. 4 d.

Item, to Patrik Lesleye, poist, for kareing ane letter to the laird of Petfoddellis fra the counsall, for ordour taking witht his landis of [ ] 4 s.

Item, to Tulloche, post, for kareing letteris fra the counsall to Donde and Edinburght, craving thair assistance in the actioun intentit aganis Frasserisburght, 3 s. 4 d.

Item, to ane boye to pas throuche the town witht the swess to proclame the fast, 1 s. 4 d.

Item, for horss hyir to Androw Burnet, being sent be the counsall to Slwye and Strathaquhin to knawe the estait of the cuntraye concerning the pest, 1 lib.

Item, for horss hyir to Mr. Jon Mortimer, being sent to Fetheresso to my Lord Merschell, for taking ordour witht his tenentis in Strathaquhin, 13 s. 4 d.

Item, for horss hyir for sundrye tymis to Alexr. Jaffray, being sent be the counsall to Strathaquhin, 4 lib.

Item, for horss hyir to Dauid Aidye to pas to Strathaquhin, and oyer partis on De syid, concerning the pest, 1 lib.

Item, for horss hyir to Thomas Forbes, and ane oyir horss hyir to Mr. Jon Mortimer, and the thrid horss hyir to myself, to ryid to Quhythauche and viseit the cuntraye, being infectit witht the pest, 4 lib.

Item, for horss hyir to viseit the boundis of Schedochisleye to seik Margreit Burnet, quha wes allegeit to bee lying deid thair, 3 s. 4 d.

Item, to the poist that brocht the Marques precept for the discharging of Lambes and Lauren fairis, 10 s.

Item, to Jon Craufurd, messinger, for ganging to Turreff and Auld Rain to discharge the saidis fairis, 4 lib.

Item, for wyne, confectionis, and glasses spendit at the croce at the solempnitie for his Majesties delyuerie fra Gowrye, 7lib.

Item, for ringing the commond bell at the twa solempnitcis, 6s. 8d.

Item, for the bancket in Mr. Dauid Rutherfurdis to Mr. Thomas Hoip and other gentillmen, witht his being the townis procuratour, at command of the provest and bailleis, 13lib. 6s. 8d.

Item, for foure quartis of wyne, and foure boistis of confectionis, to propyne the bischop of Ross witht, 4lib. 16s. 4d.

Item, for mending of the lock of the over counsallhouss dure, being all brockin be my Lord Marques man, 10s.

Item, for thrie burding of hedder to burne Margrett Burnetts houss witht in the Grene, being suspect to be infectit, 4s.

Item, for ane barrell salmond, dubill girding, ane fraucht thairoff to Leytht, to be send in the townis name to the clark register, 40lib.

Item, for Mr. Alex^r. Cullen, and Mr. Thomas Mengzeis, horss hyir and charges in ryiding to the boig of Geithe to my Lord Marques, being direct be the counsall for ordour to be tane witht Johne Lesleye, 20lib. 10s.

Discharge, 1606-7.

Item, to ane womun that careit the poyndis tane wp for breking the statute concerning the Inglische heir, 3s. 4d.

Item, mair for ane lawing to the auld bailleis, at command of Williame Gray and Alex^r. Jotfray, bailleis, 6lib. 13s. 4d.

Item, mair for ane eftir nunis drink to the provest and bailleis quhen the heir unlawis wer tane up, to Mr. Dauid Rutherfurdis wyff, 4lib.

The samyn day, for ane lawing to the prowest, bailleis, and shireff, to Mr. Dauid Rutherfurdis wyif, 10lib.

Item, mair the samyne day for ane disioyne to the provest, William Gray, the clark, and my selff, to Maryeoune Cullen, 2lib.

Item, mair for wyne and succour to be presentit to the Marques of Huntleye at Vitsondaye, 7lib.

Item, mair, at command of the prowest, in visiting off the brig off Done, to Andro Jamesoun and Williame Massie, serving Mr. George Setoun, drinksiluer, 12s.

Item, mair, the 18th of Julii, to the post carear of the letteris, for keping the parliament, and vapenschawing fra the counsall, 13s. 4d.

Item, mair for wyne and succour, the day of the Kyngis Maiesteis deliuerie, witht the glasses and naillis, and careing of the tapestrie to and fra the Laird of Benholmis, 5lib. 6s. 8d.

Item, mair, the 21st of August, to Adam Young, post, for careing of letteris to the commissioneris of the assemblie, in favouris of Mr. Johne Mackbirnie, 3lib.

Item, mair to Patrik Leslie, dempster, for careing ane letter to the shireff concerning the captioun of James Gordoun, 10s. 8d.

Item, mair the day of the captioun of the said James, for ane eftir nunis drink to the provest and bailleis witht the shireff, 6lib. 13s. 4d.

Item, mair for ane efter nunis drink to James Vindrame, agent to the burrowes, in Mr. Dauid Rutherfuirdis, 6lib.

Item, mair for ane eftirnunis drink, the provest consulting witht Mr. William Barclay in the mater of Jon Towche and Alex^{r} Gordoune, 1lib. 6s. 8d.

Item, mair to ane wyif, careir of the poyndis tain up for aill and beir, the samyne being restorit, 3s. 4d.

Discharge, 1607–8.

Item, the 26th of September, gave to James Wynram, agent for the borrowis, in satisffaction for his panis tane in attaching the forstallaris of Turreff, 20lib.

Item, for the wyne to the said James, 18s.

Item, to Patrik Lesleye, poist, for kareing ane letter fra the toun to the Laird Drum, concerning the summounding of Mr. Dauid Wedderburne befoir the counsall, to beir witness aganis Jon Mortimer, 10s.

Item, to Mr. Jon Mackbyrnie, to help to mak his charges, being summound befoir the commissioneris of the kirk, at the provest and bailleis command, 13lib. 6s. 8d.

Item, to Mr. Alex^{r} Cullen, being sent in the sam voyage to Falkland witht Mr. Jon Mackbirnye, according to ane ordinance of counsall, 31lib. 13s. 4d.

Item, for my expenssis and Gilbert Guthreis, witht our horss hyir in

passing to Turreff, Deir, Piterheid, and Newburght, to attache forstalleris according to ane ordinance, 16lib.

Item, to Androw Graye, masone, for bigging up ane passage dure fra the colledge to the Gray freris kirk, for morter and all, 2lib. 6s. 8d.

Item, gave to ane post for careing ane letter to James Mowat, for advesing witht the procuratvuris concerning the actioune aganis the Erle off Anguss, 6s.

Item, to ane poist for carcing letteris to Edinburght, to gett suspension of Monimusk, his charges usit aganis the provost and ballies for taking of Jon Forbes of Logye, 6s. 8d.

Item, to the messinger that chargit the provost and bailleis to tak Jon Forbes of Logye at the provestis command, 2lib.

Item, to Alex[r] Scheras for kareing letteris to James Mowat and Mr, Thomas Hoip, concerning the action aganis the Erle of Anguss, 13s. 4d

Item, for my horss hyir to Montrois to speik the myller, and to desyir him to com heir and repair our wynd myll, 1lib. 16s.

Item, gave to the said John [Craufurd] for passing to Donan fair to charge the forstalleris, 2lib.

Item, for ane gallon of wyne, and sax buistis of confectionis, to present my Lord Marques of Huntlie witht, 7lib. 16s.

Item, to Trupe, the ewik for playing on the swesche the day of the wapinschaw, 13s. 4d.

Item, gave to Jon Craufurd to gang to Sanct Sarsses fair to charge forstalleris, 3lib.

Item, gave to Dauid Knollis, according to ane ordinance of counsall, for his support on his voyage, 26lib. 13s. 4d.

Item, gave to the poist that brocht letteris to the town to send thair commissionar to the generall assembly, 12s.

Item, to James Prymroiss, to raiss letteris upone Gilbert Gray, to charge him afoir the counsall for oppressing of Andrew Hendersoun, 3lib. 4s.

Item, for ane gallon of wyne, sax buistis of confectionis, ane dussoun of glasses, spent at the Croce the 5 of August, 9lib. 2s. 8d.

Item, gave to Patrik Lesleye, poist, to gang to Piterheid witht ane letter to the baillies thairof, to get knowledge of the pest, 16s.

Item, to Patrik Lesleye Dempster, for his fee, according to ane act, 2lib. 13s. 4d.

Item, to the porter of the colledge for ringing the counsell bell, for his fee, according to ane act, 3lib. 6s. 8d.

Item, gave, at command of the provest and bailleis, for ane lawing to Mr. Dauid Rutherfurdis wyiff the daye of the wapinschaw, 24lib.

Discharge, 1608–9.

In the first, to Patrik Robertson, varkman, for careing down ane dur out of the chappell on the Castell Hill to the blok hous, to putt on the blok hous, 2s.

Item, to Wm. Maline, for careing of twa horss leid of lyme to mend the blokhouss, 1s. 4d.

Item, to Gabriell Lythtgow, masoun, for mending and bigging up the vyndo in the blokhous, and mending the dur, for himself and his man, 13s. 4d.

Item, the first of October, to ane boitt of Futty that rowit Wm. Gray and Alexr. Jaffray, bailzeis, abuird the boitt of Dundy that brocht in the irun, 10s.

Item, the 17 of October, for the wyne in Robert Hogis, in speking witht ane Francheman of Caleis, in bying his appillis, in presens of Wm. Gray, bailze, 1lib. 10s.

Item, for my awin horss hyir in ryiding with Robert Leitht to Fetteresso to speik my Lord Merschell, and ane poynt of wyne we tuik witht ws, 1lib. 13s. 4d.

Item, the 25 of October, 1608, to ane boitt of Dundy, the maister, Wm. Spynk, cum fra Norroway, and vauld victuallis at command of the provest and bailleis, Thomas Ferlies, baillie, being present, half-barrel aill cost, with the half-toll, 2lib. 18s. 8d.

Item, for fourscoir of ait breid, 2lib. 12s. 4d.

Item, for Thomas Douglas horss hyir in ryiding to Monimusk to speik the laird, 13s. 4d.

Item, to ane boy to pas with a lettre to Maryculter, 3s. 4d.

Item, the 3 of November, to ane boy agane to pas witht a lettre to Maryculter to desyir the laird to cum down and tak ordour for his men in Torry, 5s.

Item, the 22 day off November, for three dubill ruiff spar to be twa jebettis, 3lib. 12s.

Item, for twa syngill ruiff spar to be angleris, 1lib.

Item, for gryt irn nalis to naill the angleris, 6s. 8d.

Item, for trein nalis, 2s.

Item, for making the twa jebettis, to Alex[r] Macky and Alex[r] Laurensoun, vrichtis, 1lib. 6s. 8d.

Item, for careing the ane of thaim to Futty, and setting up of the samyn, 12s.

Item, for 5 gryt irn nalis to it, 3s. 4d.

Item, to Varrak and Patrik Thain, for setting up the uther jebett at the meill mareatt, rasing and laying of the calsay agane, 10s.

Item, the 9th of December, to ane puir boy and pigger that haid his houss brunt in Balhelvy, at command of the provest, and Paull Menzeis, baillie, 18s.

Item, the 26th of December, to ane poist to pass to Cowy for the clengeour, at command of the prouest, 10s.

Item, quhilk was debursit be Paul Mengzeis, bailzie, for ane horss hyir to Maryculltir, and for ane boitt to Torry, 13s.

Item, to Patrik Youngsoun, 20th January, at command of the prouest and bailzeis, for 2 horss hyris and his expenssis in passing to the Stanehyve for the clengearis, 1lib. 13s. 4d.

Item, the 6th of Marche, at command of the counsall, for ane galloun of wyne and 6 buistis, quhairoff thair was 2 of confectionis, to my Lord of Enzie veleum, 7lib. 6s. 8d.

Item, 23rd of March, for 1 galloun wyne, sax buistis, and auchtein glasses, at the making of the Erle of Enzie burges, at command of the prouest and bailzeis, 10lib.

Item, to Antony Blair, trumpetoer, for blawing the trumpett, at command of the prouest, 2lib.

Item, the saxt of Appryll, at command of the prouest, to Alex[r] Howysonis wyiff, for meitt and drink eom to Johne Lesly being takyn and kepit in ward, at command of the Erle of Enze, 2lib. 2s.

Item, for candell, paitt be the four officiaris in vatching the said Johnne Lesly and Robert Skeyn, 2lib. 1s. 4d.

Item, to Gilbert Main, in Futty, conforme to ane ordinance, for his panis

and his kippage, and mending of his boitt, quhilk past at all tymes to Torry during the plaig, 4lib.

Item, to ane boy that brocht ane bill fra Edinburght, 3s. 4d.

Item, to ane honest agitt voman, com fra Inuerness, for hir support, 13s. 4d.

Item, for ane fre bancat in W^m^ Forbes hous the day the landmaris was ryddin, the haill bailzeis being present, and 2 deaconis of craftis, 5lib.

Item, to Alex^r^ Forbes, cartar, for his cart, in careing and trailling of Lyndsay, a adultrur, witht Hary Domyngo, the Moir, 6s. 8d.

Item, 28th of Julii, at command of the prouest and bailzeis, to Alex^r^ Danidsone, tymmerman, maister of wark to the new schip callit the Bonacord, the tym of the gyffing hir the name, 13lib. 6s. 8d.

Item, the 5th of August, quhilk was spendit at the Croce in solemnization of the memorie of his Maiesties deliuerie fra the conspiracie of Gowry, for ane gallon of wyne and 4 buistis, 6lib.

Item, for aucht glassis, 1lib. 4s.

Item, for nailis to naill the towis and tapestrie, 3s 4d.

Item, to Alex^r^ Varrak and Trowp, for rynging the common bell, 4s.

Item, 21st of Agust, for 5 dalis to mend the windois of the meill marcat, 2lib.

Item, paitt to ane boy that passit with the bellman, 19th September, to varne the towne to heir the bell costume rowpit, and sic as vald giff thair suittis for the office of serjiandre the yeir to cum, 1s. 4d.

Discharge, 1610–1611.

Item, the secund of Januar, propynit Mr. Robert Bruce, at the commandement of the counsall, with succouris, sueitt meats, and spycerie, extending to 50lib. 8s.

Item, the fyift of Januar, for tua carkaches of beaff send to the said Mr. Robert's hous, 22lib. 13s. 4d.

Item, the fourt of Marche, for careing of a letter and testimoniall be W^m^ Andersone, post, direct for the purpois to the secreit counsall, in fauoris of Mr. Robert Bruce, 4lib.

Item, the sext of Marche, to Alex^r Dauidson, post, to carry a letter to the secreit counsall in the sam erand, 3lib. 6s. 4d.

Item, gewin to Cristan Lowsoun, for the bankett maid be the pronest, baillies, and sindrie honest men, to Mr. Robert Bruce, 16lib. 3s. 4d.

Item, ane other day, send sewin pyntis of vyne to Mr. Robert Bruce his hous, to denner and super with the baillies, 2lib. 16s.

Item, the xv. of Aprill, gewin to Adam Young, post, to carie Mr. Robert Bruce his letteris to James Primrois, to be direct be him to his Majestie, 3lib. 6s. 8d.

Item, the first of Julii, for a collatioun with Mr. Robert Bruce wyiff, in hir awin hous with the baillies, in vine and succour, 4lib.

Item, propynit my Lord of Mar and his lady, with my Lord Erskyne, with wine and succour, at the Crabistane, the 23rd of September, 6lib. 19s.

Item, to Robert Keythtis wyiff, for vyne and confitis, when the prowest tuik his jurney to Ingland at the Crabistane, 3lib. 12s.

Charge, 1611–12.

The 3rd of Junii, Duncan Forbes of Camphell, and Walter Gordoun of Haheid, convict for trubling the towne in persewing otheris with swordis, ilk ane of thair unlawis, xx. merkis is 21lib. 13s.

The said day, Jon Irving of Kincousie convict for gevin a cuff to W^m Lundie, his unlaw, 10lib.

The 21st of Februar, Mr. W^m Chalmer, second lauchfull sone to umquhill Mr John Chalmer, maid burges of gild, his compositione and gild wyne, 8lib. 13s. 4d.

Discharge, 1611–1612.

Item, to my Lord Merschellis nureis, quhen as the towne wes invited to be his gossipis, ane dubill angell, 12lib. 13s. 4d.

Item, to the porter, in drinksilver, 1lib. 10s.

Item, for ane gallone wyne, and sex bustis confectionis, to present my Lord Forbes and the Maister Elphinstoune, 6lib. 10s.

Item, to Patrik Lesley, for kareing ane letter to Aufurd, to Mr. W^m^ Forbes, to knaw gif ther wes ony infectione of the pest, as wes bruited, 1 lib.

Item, gave to James Mowat, for expenssis maid in obtening decreit upone the siluer left in legacye be umquhill Mr. Jonstone to the colledge and grammer schoole of this burght, according to ane ordinance of counsall, 16 lib. 18 s.

Item, gave to Mr. Jon Cheyne of Petfechye, for raising lettres to charge the shireffis to resave the twa pirattis, according to ane ordinance, 7 lib.

Item, for our horse hyir to Steinhyve in convoying the pirattis, owre denneris, thair horse, and boyes charges, 12 lib.

Item, for ane daill to fessin the hoill of the loft of the knok quhair the pases come downe, quhen as George Lesleye thocht to have escaped that waye, to the wright and for nalis, 12 s.

Charge, 1612–1613.

Item, the last of September, Johne Birnie, vobster, convict for dinging Margrait Ligetwod and Christen Wedersone, hir daughter, modefiet to 2 lib.

Item, the 2nd of October, Patrik Jhonstone, in Arnage, convict for troubling the toune anent Hendrie Liklie, cordener, ves modefiet to 2 lib.

Item, the same day, Hendrie Liklie, cordener, for trubling of Patrik Jhonstone, in casting ane stoupe at his face, modefiet to 3 lib. 6 s. 8 d.

Item, the 5th of October, Walter Cruickshank, seruitor to Nicol Ross, convict for persewing of Robert Bagster, armerer, vith ane drawing sword, modefiet to 3 lib. 6 s. 8 d.

Item, the 6th of October, Jhone Troupe, burges of the said brugh, wes convict for iniuring and mispersoning of Androw Horne, elder, modefiet to 6 lib. 13 s. 4 d.

Item, the 7th of October, James Clerk, sone to Thomas Clerk, wobster, convict for bearing ane batone under night to haue perseuit Dauid and James Castellis, wobsteris, and troubling the toune, modefiet to 3 lib. 6 s. 8 d.

Item, Willeame Settone of Blair, Alex^r Fraser of Boigheadis, and Gilbert Gray, sone to the Laird of Schines, war convict for troubling of Gray, baillie, under silence of night, thair unlaw modefiet as follouis: the wnlaw of W^m Settone of Blair to 40lib.

Item, the wnlaw of Gilbert Gray of Schines modefiet to 26lib. 13s. 4d.

Item, the wnlaw of Alex^r Fraser of Boigheadis modefiet to 64lib. 13s. 4d.

Item, the same day, Wauld Hendersone, skipper, ane Fleming, and Hermane Hendersone, wer convict for dinging of Jhone Hay, seruitor to Patrik Findlay, skipper, wer modefiet to 5lib.

Item, the 16th of October, Alex^r Smytht, cordener, convict for strikking of George Andersone, seruiter to Alex^r Houatt, modefiet to 2lib.

Item, the 4th of Nouember, W^m Russel, wobster, convict for striking of Francis Forbes, wobster, his unlaw being fyue marckis, the half thairof wes ordanit to the pairtie, modefiet to pay me 1lib. 13s. 4d.

Item, 18th of Nouember, Robert and Duncane Hayis, seruitoris to the Laird of Monimusk, convict for iniuring and persewing of Androw Mylne, armerer, thair unlais modefiet to 10lib.

Item, eodem die, W^m Smelie convict for dinging of Patrik Hutchsone, ferrieman, wes modefiet to 2lib.

Item, the 27th of Nouember, Thomas Cauerlache, cordener, ves convict for iniuring of W^m Watsone, and modefiet to 2lib.

Item, the 2nd of December, Thomas Watsone, meassone, convict for making of malt, his unlaw modefiet, he being onfrie, to 10lib.

Item, the 5th of December, Patrik Gordone of Birsmoir convict for wounding of Gilbert Leslie, schoolemaister, modefiet to 66lib. 13s. 4d.

Item, the 23d of Marche, the baxsteris, W^m Craigheid, Gilbert Wilguis, Patrik Banerman, Alex^r Leslie, George Willeamsone, Thomas Wilguiss, Johne Midletoune, Gilbert Stewin, wer convict for baking of eat breid against the statuttis of this burghe, and wer modefiet, ilk ane of them, to pay 40s., quhairof I receanit 15lib.

Item, the same day, W^m Walker, in Futtie, convict as ane regraittar of the fische mercat, modefiet to 3lib. 6s. 8d.

Item, the same day, Thomas Dauidsone, Alex^r Kemp, Alex^r Simmey, Johne Fortrie, flescheris, convict for regraitting the fische mercat, and modefiet to pay, ilk ane of them, 40s., ressaued onlie 2lib.

Item, the 30th of March, W^m Craighead and Patrik Banerman, bagsteris,

convict for bying of maill coming to the mercat, ilk ane of them fourtie s., 4 lib.

Item, the 2nd of April, Thomas Couye convict for wounding of Gilbert Heruie to the effusione of his blood, modefiet to tuenty pundis, receauit, at command of the consell, 10 lib.

Item, the 9th of April, Alex^{r} Gray, merchant, convict for giuing to Eduard Reid, skinner, ane blow, modifiet to 6 lib. 13 s. 4 d.

Item, the same day, Eduard Reid, skinner, for eattling to draw ane dagger to Alex^{r} Gray, convict, and modefiet to 3 lib. 6 s. 8 d.

Item, the 13th of April, Jhone Allan, cutler, convict, and Jhone Allane, buik binder, convict for setting ane goiff ball in the kirk yeard, and striking the same against the kirk, Jhone Allan, cutler, to 40 s., and Jhone Allan, buik binder, to 3 lib., quhilk is in all for boithe, 5 lib.

Item, the 24th of April Androw Smitht ves convict for troubling of Mungo Hendersone, cordener, in his awin buithe, vitht ane drawin dager, modefiet to fiue poundis, receauit heirof, at the prouest command, not being soluendo, 4 lib. 5 s.

Item, the 14th of August, Androw Forbes, sone to Hendrie Forbes, Robert Forbes, sone to Monymusk, and W^{m} Forbes, burges of this brughe, convict for persewing the Laird of Collistone, and modefiet to 10 lib.

Item, the 16th of August, Androw Forbes, glassin vright, for iniuring the Laird of Collistone, modefiet to 5 lib.

Discharge.

Item, the 28th of September, at the prouest's command, gaue to ane calcimaker to meit my Lord Merschell in Monthe Cowie, to mend the calcies, 6 s. 8 d.

Item, the 6th of October, for rosset and clenching the conselhouss, at the head court, for the barronis meitting thair, 6 s. 8 d.

Item, the 7th of October, at the baillies command, for wyne and spyice giuen to Sir Alex^{r} Drummond of Meiddoup, knicht, ane of the lordis of sessione, his velcom to toune, first, for 6 buistis confectionis, 3 lib.

Item, for vyne, 3 lib. 12 s.

Item, the 17th of October, debursit to ane post send be the baillies to the provest, than in Edinbrughe, for aduysing upon ane charge giffin to the toune be chanceller, in name of the Earle Rothes, 4lib.

Item, the 26th of October, to James Caddell, post, direct to Sanct Androis, to Mr. James Kenneir, minister, concerning Mr Jhone Jonstonis legacie, 3lib. 6s. 8d.

Item, the 28th of October, for dounetacking the eastmest glass vindow of the tolbuithe, and W^m^ Gray, ballie, commanding the samen, to Patrik Elphinstone for 25 footis of glass, the foot 6s. 8d., is 7lib. 6s.

Item, mair, for 14 ellis of zeallow wear to be latchettis for serning the vindouis, and mending the rest, 17s.

Item, the 5th of Nouember, being the kingis day, debursit, at the consellis command :—

Item, for ane gallone of vyne, 3lib. 12s.

Item, for 6 buistis confectionis, 3lib.

Item, for ane dussone glass, 1lib. 4s.

Item, for naillis, 9s.

Item, for workmanschip, 12s.

Item, for transporting the timber thairfre again, 4s.

Item, the 9th of December, to Johne Moresone, post, seruant to James Setone, than for ane letter, derect be the toune of Edinbrughe, concerning the conventionne of justices of peace, 6s. 8d.

Item, the 22nd of December, for reparing the grammer schole, the thak thairof being blauin aff. Item, for ane tree to be lathe, and ane deale to be ane vindhew, 1lib. 3s. 4d.

Item, for sawing the tree, 6s. 8d.

Item, for naillis. 8s.

Item, for workmanschip, and mending thairof, 2lib. 15s. 4d.

Item, the 23rd of December, delyurit to the provest passing to Edinbrughe, commissioner chosen to meit the justices of peace, ane act of consell thairon, 50lib.

Item, the 20th of Januar, at command of the provest, giffin for ane new window to grammer schole, 3lib. 6s. 8d.

Item, the 24th of Januar, debursit for vyn spendit in Mr. Dauid Rutherfuirds hous at the provestis home comming from the conventionne of the justices of peace, 6lib. 13s. 4d.

Item, the 26th of Januar, at the prowest and Thomas Forbes, baillies, command, giffin to Jhone Robertsone, passing to Edinburgh, for his seruice done heir to the toune, 18lib.

Item, the 8th of Februar, at the command of the consell, giffin to Mr. Richard Ross, reader thair, being seik, 5lib.

Item, to causs raiss letteris (the 9th of Feb.) at the consellis command, send to James Primroiss, against Gordone of Birssmoir and his complices, for charging them to compeir befoir the secret consell, for offence done to Gilbert Leslie, schol maister, 6lib. 13s. 4d.

Item, to his seruant, 1lib. 4s.

Item, to ane poist, 4lib.

Item, the 20th of Februar, giffin at the consellis command, to Robert Messer, messenger, to charge Patrik Gordone and his complices, 8lib.

Item, the 21st of Februar, debursit for reparing ane hoill maid in the consell houss quhen Akchrellin's brother ves thair, 1lib. 5s.

Item, for candell debursit to Walter Ronaldsone for vatching 4 nightis the tolbuithe than, 8s.

Item, the 20th of Marche, deburset at the consellis command, and dyuerss tymis thairefter, as the compt ves giffin in than, for supplie of Inglische souldiers that cam from Denmarck heir, 24lib. 18s.

Item, the 13th of Marche, payit for ane chalder coillis, at the provestis command, to Mr. James Ross, minister, the boill 21s., is 26lib. 16s.

Item, for mettaig and carraig thairof, 1lib. 6s. 8d.

Item, the 23rd of Marche, debursit for horss hyir, in earing the land controuertit betuixt the toune and Achmul, and eattis, for sawing thairof, 2lib.

Item, the 24th of Marche, past with James Dauidsone, nottar, and Valter Robertsone, and maid interruptione to Robert Simsone in Gulcilmstone, laboring out the tounis land, for thair eftir nounis drink in Androw Ewin's houss, 1lib. 13s.

Item, the 27th of Marche, for candill to the consell houss, quhen as the landimers sould haue bein riddin be thoss of old Abirdein, 3s.

Item, the 5th of April, debursit at the provest and baillies command, on the provest of Dumbartone, for the vyn and efter noon thair, in Robert Hoogis houss, 9lib.

Item, debursit in Hendrie Petrie's houss, quhen as the provest of Dumbartan haueing inuited the provest and baillies, to the vyn payit be the toun, 6lib.

Item, the 16th of April, efter the satisfactione maid be Patrik Gordone, and Jhone Gordone, and James Murray, to the toune, and Gilbert Leslie, debursit to Mr. Dauid Rutherfuirdis vyif, for vyne and spyice bestouit on the Laird of Cluny that day, 18lib.

Item, the 17th of April, for ane quheil barrou to serue the toune, 12s.

Item, for ane scheil to serue the toun in clenging the calsy, 5s.

Item, the sam day, giffin to ane post of Old Abirdein for ane letter derect be the toun, 4s.

Item, the 24th of April, debursit for seilling of ane charter giffin be the bishope in fauoris of the toune, at the consellis command, for ane stipend to a minister, 4lib. 13s. 4d.

Item, the 21st of April, debursit to Mr. Thomas Nicolsonis man for confirmatione of the lordis of the saiddis charteris, and summondis to be raisit thairon, 33lib. 6s. 8d.

Item, for ane buist to carrie the charterris, 3s. 4d.

Item, in Aprill, debursit for vyne bestouit one Mr. Thomas Nicolsone, commissear, for consultationis in the tounis adois, to Mr Dauid Rutherfurdis vyiff, 13lib. 6s. 8d.

Item, the 2nd of Junii, debursit, at command of Alex[r] Jaffray, baillie, at the bringing again of Dauid Kempt (etter his awaygoing out of the tolbuithe) be the Laird Drumis seruentis, for vyn to them, and expensiss maid be Thomas Donaldsone, 1lib. 6s. 8d.

Item, the same day for transporting of the stokkis out of the nether wolt to the tolbuithe, quhen as thi that bruk doune the pillar of Jhone Meluin stair ver put thairin, 4s.

Item, the 14th of Junii, debursit, at the command of consell, for the banquet bestouit on Captan Forbes, to Mr. Dauid Rutherfuirdis vyif, 36lib.

Item, the 26th of Junii, debursit to the provest passing southe for raising of letteris against W[m] Gordone, cautioner for Patrik Gordone of Birsmoir, at the tounis instance, 4lib.

Item, the 7th of Julii, to W[m] Veir, post, for letteris brocht home, derect be the provest against V[m] Gordone, 6s.

Item, the same day, for vyne and confectionis, to present my Lady Leithe, come to toune, 7lib.

Item, the 3rd of August, debursit, at the consellis command, to Walter Robertson, substitut clerk, derect be the toune to Sanct Androis, concerning the legace of Mr. Jhone Jhonestone, 26lib. 13s. 4d

Item, the 5th of August, according to the ordinance of consell, for keiping the kingis day in deckking the croiss, first, for ane gallon vyne, 4lib.

Item, for 6 buistis confectionis, 3lib.

Item, for ane duissone glassis, to Dauid Ronaldsone, that day also, 1lib. 6s.

Item, for upputting the timber about the croiss, 12s.

Item, for naillis, 7s.

Item, for expensiss of away carring the timber, &c., 4s.

Item, the 6th day of August, to Walter Findlayson, pest clenger, at the provestis command, 1lib.

Item, the 12th of August, debursit, at the provest and baillies command, for the expensiss of Mr. Robert Bruice during his tym heir, first, in Old Aberdein, debursit to Alex^{r} Jaffray, baillie, and rebursit to him, 2lib. 7s.

Item, efter his comming to this toun, in Mr. Dauid Rutherfuirdis hous, after noone, certane of the ministrie being thair with him, and the magistrattis, 10lib.

Item, for his lodging in Robert Hoigis houss, and expensess thair, 13lib. 6s. 8d.

Item, to W^{m} Kay, for stabling his horss, and stabil hire, and servantis meat, 6lib.

Item, the 18th of August, debursit to the Laird Durne, at the consellis command, to support ane stranger called Ogilwie, 3lib. 6s. 8d.

Item, for the vyn and confectionis giffin to Mr. Robert Houie and his vyif be the toune, in Mr. Dauidis houss, 8lib.

Item, to Patrik Leslie, dempster, debursit, [be] ane ordinance of consell, 3lib. 6s. 8d.

Item, to Thomas Fender, post, derect with letteris to the toune be Edinbrughe concerning Sterconig, 1lib. 10s.

Item, 8th of September, debursit for transporting tua grait irone peices to the Laird of Benholme, and grait new iron zeat again to the chappell, together for tua littell iron windouis to the clerkis chamber, 13s. 4d.

Item, the 9th of September, for twa grait treis brocht out of Torrie be Patrik Hutchone, ferriman, laid under the hill, 6s. 8d.

Item, for transporting them to the chappell, frome the flood mark to the Chappellhil, 6s.

Discharge, 1613–14.

Item, for ane gallone wyne, sex bustis confectionis, glassis, and decking of the Crose, the daye of the solemnizing of the birthe of the sone of Counte Palatin, 10lib. 6s.

Item, to ane pwir Hollandis woman, 18s.

Item, for drink that come to the towbuithe at the making of Doctor Liddellis testament, 12s.

Item, for ane efternunes drink in Jon Tulidaffes to the clarkis that tuik up the inventar of his bukis, 1lib.

Item, for twa Inglis treis to put the said bukis in, 1lib. 4s.

Item, to ane poist that brocht ane letter fra the baillies of Edinburghe concerning the ministratioune of the sacrament at Pasche, 6s.

Item, gave to ane Hungarian scoller for his supporte, at the provostis commande, 3lib.

Item, to W^m^ Kempt, eartar, for carting of Badzenocht throcht the towne, that haid committit adulterie, 6s.

Item, to ane poist to gang to Glithnoe to summond George Strathaquhin to compeir in Edinburght, in the proces of reductione of his tacke of the teynd of Petmedden, and to summond the Laird of Wardes in the same cause, 1lib. 8s.

Item, for ane quarte Spanis wyne, and a quarte Bourdeaux wyne, and thre buistis confectionis, to present the Bischope of Orknaye, 5lib. 2s.

Item, for thecking the grammer scoole witht hedder, 38lib. 5s. 6d.

Item, for mending the hoill in the thack of the towbuthe that the theves brak, and for nalis to the sam, 16s.

Discharge, 1614-15.

Item, the sextene of October, gewin to Thomas Crombye, at command of the counsall, for raising ane summondis, at the townis instance,

aganis George Strathauchine, in Glithno, and the Laird of Wardes, for reductioun of the tackis of the teynd scheawis of Petmedden, and als for letteris of lousing the fermes of Petmedden, 10lib

Item, the 25th of October, debursit to Patrik Leslie, post, for summounding the Lard of Wardes and George Strathauchine, conforme to the same act, 1lib. 10s.

Item, the penult of December, gewin to a post, at command of the baillies, for careing a letter south to Edinburght and Sanct Androus, concerning the death of the prouest, seiknes of the bishop, and mater of the college, 1lib. 10s.

Discharge, 1616–17.

Item, for the eftirnoone drink giwen be the magistrattis to Mr. William Forbes, in Mr. Dauid Rutherfurdis hous, at the said Mr. William his comeing to accept the office of the ministrie, 3lib.

Item, the 19th of October, to ane post, for carying ane letter to the commissar concerning the planting of Mr. William Forbes, minister, at this burgh, and for bringing bak his answer, 10s. 6d.

Item, to ane boy for serweing ane edict at this kirk, and the Aultoun kirk, anent the said Mr. William Forbes plantatioun at this burght, 4s.

Item, for the denner to the persones of Kincardin and Turreff, and sic wtheris of the ministrie as wer present at the ressaueing and admissioun of the said Mr. William Forbes to be minister of this burgh, 18lib.

Item, to Alex^{r} Rollandis wyiff, for ane quart of wyne, and ane breid, quhilk was careit to the Bow Brig, at command of the magistrat, at the gudenicht taking with sum strangeris of Edinburgh, 18s.

Item, at command of the magistrattis, presentit to Alex^{r}, bishop of Abirdene, at his first comeing to this burgh, efter his admissioun to the said bishoprick, the wyne and spycerie, 6lib. 8s.

Item, for ane denner giwen to his lordship in Mr. Dauid Rutherfurdis, at the same tyme, and sic of the ministrie and wtheris as was with his lordship, 30lib.

Item, for ane supper to the commissar in Aprill, efter the tounes consultatioune with him in diwers of thair effairis, 16lib.

Item, to Alex^r Watsone, messenger, for ganging to Towie, and chairging Alex^r Forbes, sumtyme of Towie, befoir the secreit counsall, for the wrang done be him to Mr. William Wedderburne, doctour of the grammer schole, 4lib.

Item, to James Calder, post, for caryeing ane letter to Tolquhone, and ane wther to Meldrum, for sum of thair silwer pleat, 1lib. 4s.

Item, at command of the magistrattis and counsall, giwen to Archibald Armstrong, his Majesties plesant, quha come to this burght with the Inglishe knychtis quhen his Majestie was at the huntis in Muiremonth, ane Portugale ducat, 53lib. 6s. 8d.

Item, to his Majesties violeris that accompaniet the saidis knychtis to this burgh, 26lib. 13s. 4d.

Item, to the prouest and baillies being invited be my Lord Forbes to be his gossipis, and giwen be thame of drink siluer at thair being in Fuddes, 24lib. 4s. 8d.

Item, for twa stuillis to the ward hous, at command of the magistrattis, 10s. 8d.

Item, to William Kay, officiar, for his horss hyir and expensiss in conconvoying the Inglishe knychtis to Drumlethie, 2lib.

Item, to Ardy Mair, officiar, for his horss hyir in convoying a pairt of the saidis knychtis that taryet behind the rest, 12s.

Item, to Alexander Gariauche, commoun cnik, for his service done to the toune the tyme of the Inglishe knychtis heir being, 6lib. 13s. 4d.

Compt of the charges maid be the toun of Aberdene upon the intertenement of the Inglis knychtis and utheris, his Majesties servandis, that attendit and followit thame, at thair being in this burght, in the moneth of Maii, 1617:—

Imprimis, Mr. Gilbert Grayis wyffis compt, upon the intertenement of sic as wes with her, extendis to 252lib.

Item, Mr. Dauid Rutherfurdis wyffis compt is 110lib.

Item, Thomas Burnettis compt, for sweitt meattis, succouris, and confectionis, extendis to 123lib. 8s. 10d.

Item, Robert Keythis compt extendis to 17lib. 2s. 2d.

Item, George Moresone's wyffis compt, 20lib.

Item, Jon Tullidaffis compt at the Crabstane, 7lib. 10s.

Item, Dauid Cargill, a gallowne wyne, 3lib. 12s.

Item, Alex^r Willeamesone's wyiff, for the violaris, 2lib. 13s. 4d.
Item, Henrie Forbes wyff, fyve poyntis of wyne, 2lib. 5s.
Item, Walter Melvill's wyff, 1lib. 16s.
Item, Johne Crukshank furneist tua unces tubacca, and tua dussone pypis, is 2lib. 8s.
Item, Walter Robertsons, for sugeris and confectionis, 14lib. 16s. 8d.
Item, to Gilbert Andersone, for pulder gevin to the youthis, 20lib.
Item, for tubacca given to Gilbert Hervie, 8s.
Summa, 587 lib.

Discharge, 1617–18.

Item, for wyne and spycerie to propyne the Laird off Corss, 5lib. 12s.
Item, for wyne and spycerie to propyne him returned bischope, 7lib.
Item, for taking bak againe Mr. Dauid Wedderburnes buik, 3lib.

Discharge, 1619–20.

Item, to ane poist to gang with a letter to Deir, to Mr Abraham Sibbal to cum in to the admissioun of Doctour Forbes, principall, 16s.
To ane other poist for to carie ane letter to Doctour Dwn, rectour of the college, to cum in to the sam effect, 6s.

Discharge, 1621–22.

Item, at the visitatioun of Doctor Forbes wyff, quhen he wes south, for wyne, suger, and tubacco, 6lib. 8s.
Item, for the wyne and spyce gewin to Mr Robert Bruce, minister, at his bygoing to Inuernes, 6lib. 3s.
Item, for the banquett to Doctour Forbes, and to the commissionaris of Edinburgh, quhen the Doctor wes transported south to be minister at Edinburgh, 60lib.

Discharge, 1622–3.

Item, to a boy to carie a letter to the provest quhen the Spanziard struck at the tolbuith door, 3lib. 6s. 8d.

Item, to ane quha brocht bak againe the sword quhilk wes stowin out of the kirk, put up for ane Holander cap., 3lib.

Item, for ane puncheoun of wyne, propynit to the twa capitanes of his Majesties schippeis quho come hither for convoy frome us of the Spanische schip, 66lib. 13s. 4d.

Discharge, 1623–4.

Item, to ane boy who cariet Mr. Patrik Coplandis letter to St. Androwis. to Doctor Hwie, 12s.

Item, to ane boy for reiding tuo sindrie tymes to the helman, 4s.

Item, to ane boy who went to Edinburgh with letteris for obtening the legacie left be wmquhill Dawid Chamer, cordoner, to the towne of Abirdene, 3lib. 6s. 8d.

Item, for aucht bollis coallis, to Mr. W^m^ Andersone, for his pentioune granted to him be the towne of Abirdene, 9lib. 12s.

Item, for careage and mettage of the saidis coallis, 18s. 8d.

Item, for tuo hors, to Patrik Leslie, ballie, to ryd to Behelwies to speak with Mr. Dauid Lyndsaye, minister, 18s.

Item, for wyne and spyerie, quhane Androw Huntar, George Menzeis, and Walter Cochroune, was maid burgessis, 2lib. 8s.

Item, to Androw Inglis, to mend his drum, at the prince his return from Spaine, 12s.

Item, to ane boy that followit Mr. W^m^ Moir to the Ald towne, when he went to speak with the bishope that same day, 3s.

Item, for wyne and spyerie to the Erle Marshall, that day he presented the guidman of Aldmad in the towbuithe, 9lib. 8s.

Item, to ane workman that careid puncheonis and deallis from the chappellis to the Corss, for naillis, and to the boy that red to the drum throw the towne that same day, 12s.

Item, to James Willox, and his men, for dressing wpe the scaffallis about the Corss that same daye, 10s.

Item, spent that same daye, for the efternoone in Alex^r^ Watsones, with prowest and baillies, 12lib 8s.

Item, for wyne and buistis and glasses, at the Corss, wpone the fyft of Nouember, being the kingis daye, 7lib. 16s.

Item, for ane lok to the joggis, 3s.

Item, spent in Jon Tillidaffes, agreeing for punischeing the slayeris of blak fische, the baillie being present, 1 lib. 10 s.

Item, to ane boy, for careing lettres to Thomas Crombie, 4 s.

Item, to W^m^ Kaye, offisser, to mak his charges to Edinburgh, at the counsellis command, 6 lib. 13 s. 4 d.

Item, payit, in Alex^r^ Rutherfurdis, for ane banquet to the bishope and magestrattis, when Doctor Johnestoune maid his lessone in the mathematicks, 33 lib. 6 s. 8 d.

Item, to ane boy for careing ane letter to Whythawche, att the ryding of his marches of Countesswallis, 4 s.

Item, for sex horss hyr, at the ryding of the first land marches, 3 lib.

Item, for fyue hors hyr, at the secund ryding of the marches, 2 lib. 10 s.

Item, to ane boy, for reiding to the drummer tuyiss, to giwe aduerteisment for the wapinschawe, 4 s.

Item, for sewine horss hyr, the third day of the landmarches, 3 lib. 10 s.

Item, to ane boye, for causing Whythauche bring his boundand ewident to the bounds, 2 s.

Item, for ane horss hyir to cairt Hunter throw the towne, who was banished for being pandrous to Janet Birnye, 4 s.

Item, to ane poist who went to Keithe with ane letter to Mr. Robert Barroune, 1 lib. 4 s.

Item, to that same boye, efter his bakcoming from Keith, 6 s.

Item, for wyne and buistis when the Laird Reidhall was maid burgess, 3 lib. 8 s. 8 d.

Item, giwen to Mr. Robert Barrones awne man, who brocht ane letter from him to the prouest, 12 s.

Item, spent in Alex^r^ Rutherfuird, with prowest and baillies, at Mr. Patrik Gordone's returne from Londoune, 12 lib.

Item, payit to James Jaffraye, for thrie seuerall banquetis to the bischope and Mr. Robert Barrone, with the magestratts, 66 lib. 2 s.

Item, spent in Alex^r^ Rutherfurdis, for ane denner to Mr. Patrik Gordoune, Mr. Robert and Mr. Adam Reidis, with the prouest and baillies, at thair meitting about Mr. Thomas Reid his legacye, 36 lib.

Item, for ane denner to the bischope and his followeris, with prowest and baillies, att the admissioune of Mr. Robert Barroune, 30 lib.

Discharge, 1624–5.

Imprimis, propyned, at the magistrattis command, to my Lords of Murray and Erskin, the tounes courtesie, sex quartis of Frenshe wyne, twa quartis of Spanis wyne, and a dozen of buistis, is 17lib. 4s.

Item, spent in the counsalhous, upoune wyne and spycerie, at the creatioun of Archibald Prymrois and his cowsignes burgessis, fywe quartis Frenshe wyne, twa quartis Spanishe wyne, and sex buistis, is 13lib.

Item, propyned to the Erle and Countese of Buchan, the wyne and spycerie, as said is, 8lib. 12s.

To Mr. Robert Barrone, quhen he enterit minister, with his collegis, for the eftirnoone, 5lib.

To a poist to go to Mr. W^m^ Guild, 1lib. 4s.

Item, propyned my Lord Murray with the wyne and spycerie, as said is, 8lib. 12s.

For wyne, at the admitting of Doctour Gordoun burgess, 3lib. 12s.

For upputting of tapistrie about the croce, and dountacking therof, scaffold and naillis therto, at hir Majesties hamecomeing, 1lib. 8s.

For aucht quartis of wyne, 9lib. 12s.

For a dozen of buistis, 6lib.

For fywe dozen glassis, 6lib.

Item, spent the day of solemnitie of the quenis arrivell, for a eftirnoone, be the magistrattis and infantrie, for drinking hir weillcome, 13lib. 6s. 8d.

Charges debursit on the librarie of the college, and anent Mr. Thomas Reidis buikis:—

Imprimis, for fourtie-nyne stanes of irne in pletform, to be nine windowis, at iii. libs. the stane, and 14 lib. and a halff mair, 149lib. 16s. 10d.

Item, to the measonis, for imputting the irne wark, aucht dayis, with ane servand, 6lib.

For lead, extending to xii. staines 7 lib., at xxvi.s. viii.d. the staine, is 16lib. 11s. 8d.

For fyire to melt the leid, 4s.

For reid lead, oyle, and laying the windowis, 6lib. 12s. 4d.

For dressing the haill windowis, and giweing them new laitchedis, 4lib.

For glasbandis of knapholl, 6s. 8d.
For fyire and candill, at the upsetting of the buikis, 9s.
Item, to the principall regentis and wtheris quha wer sychting the bookis, for ane dynner, 4lib. 10s.
For ane plait lock to the bibliotheck, 3lib.
For lynning the door, irnewark and naillis, 1lib. 5s. 8d.
For the visitouris denner the morn therefter, Mr. Patrik Gordoun being present, 10lib. 10s.
For a supper to the principall, and utheris with him, quhen he acceptit the key, and gave his band for the buikis, 7lib.
For scaffolling to the upputting the windowis, 1lib. 4s.
For careing the buikis fra the schoir to the college, 3lib.
For loissing, heading, and housing the buikis, 1lib. 6s. 8d.
Item, for watching thame twa nicht, 1lib. 4s.
For transporting thame fra ane sellar to ane uther, for naillis, girthis, and heading thame againe, 18s.
For sellar maill fra Michaelmes to Februar, 8lib.
Summa, 226lib. 1s. 4d.
Item, to Mr. Dauid Wedderburne, for some poesies made be him on the death of the king, at the desyre of the toune, and for printing thairoff, 33lib. 6s.
Item, to Patrik Dauidsone, maister of the musick schoole, 20lib.
Item, for ane dussone siluer spoones to Mr. Robert Barroun, minister, to his first hous, in token of the townes lowe to him, 61lib. 10s.

Discharge, 1625-6.

Item, to Mr. Alex^r^ Gardyne, at the counsells command, for dedicating of his pamphlet to the toune, 66lib. 13s. 4d.
Item, spent in Gilbert Andersone's, when the prouest and baillies came from the Auld toune, at the acquynting the bischope with Mr. Barrounes admissioun to the diuinitie lectour, 8lib.

Discharge, 1626-7.

Item, propyned with wyne and spycerie the Erle Marshell, 6lib. 14s.
Item, at the saluteing of Doctour Forbes at his hamecomiug, 4lib. 14s.

ADVOCATES' LIBRARY

Item, to ane post that brocht letteris from Edinburgh to the towne, 6s.
Item, for sex hors hyire that mett Doctour Forbes, 11lib. 16s.
Item, for a barrow to carie the crippell witches, 6s.
Item, to Mr. Alex^r Forbes, for ane poesie presentit to the prowest on the praise of the toune, 13lib. 6s. 8d.
Item, for saluteing Doctour Forbes at his entrie to his hous in the college, 11lib. 10s.
Item, to Alex^r Ramsay, debursit be him for interteaneing the witches, 142lib. 3s. 4d.
Item, to Mr. Androw Clerk, for his paynes in wreitting the dictayes on the witches, and sitting as clerk in that commissioun, 6lib. 13s 4d.
Item, to Mr. William Cargill, for some poesie dedicat be him to the counsall, 10lib.

Discharge, 1628–29

Item, gewin to ane pyper quhen we raid the landemeris, 12s.
Item, to ane man that was taken with the dunkirkaris, 3lib. 6s. 8d.
Item, payit for 6 hors hyir to the landemeris, 3lib. 12s.
Item, gewin to ane post that come fra Edinburgh, 1lib.
Item, gewin for 12 peiss aik that wes gewin to the bulwark, at 16s. the peiss, is 9lib. 12s.

Discharge, 1629–30.

Peyit Thomas Mayne, for ane stang to the kingis culleris, to be set up on the chappell, 18s.
Item, at the macking of the Earle of Buchane, Lord Ogilvie, Constable of Dundie, burgessis, 19 quartis Frenshe wyne, 15lib. 4s.; for bear, and breid, and candell, 40s.; for tubbacco and pyppis, 30s.; tyve dessenis of buistis, 30lib. 5s.; and two onces of succour, at 24s., 6lib. 3s., 54lib. 17s.
Item, to the Earle of Buchane, befoir the townis curtesie, 12 buistis, 6lib., and ane gallone of wyne, 9lib. 4s.
Item, spent in Skipper Andersonis with Mr. W^m Davidsone, 3lib. 6s.
Item, to Robertsone, post, for careying the townis lettre to Kellie, 1lib. 10s.

Item, to ane boy who went for the provest to Kinmundie, 6s.
Item, peyit W^m^ Ord ane compt for treis, dealis, and uther work, and naillis, busking the croce, 21lib. 9s. 4d.
Mair, for ane hundreth and ane halff off single plancheoun naillis, and thre quarteris off ane hundreth double plainscheoun nailis, 1lib. 7s.
Peyit the workmen for bringing the wyne and the deallis to the croce, 9s.
And for way tacking agan off the deallis and treis, 4s.
Peyit to ane man to serve Jon Donaldsone the day off the triumphe, and for careing the puder and bullet to the hill, 8s.
For ane tow to the commoun bell, 6s.
Peyit to Cruikschank, the workman, for ringing the commoun bell, 8s.
Item, two quartis off wyne at the croce to the youthis the nicht of the solemnitie, 1lib. 12s.
Item, peyit Skipper Andersonis wyff, quhilk the musicians drank the said nicht, 3lib. 12s.
Item, 3 dossonis of buistis, the same day, 18lib.
Item, ane drink cloth, that day losset and put away, 4lib. 13s. 4d.
Item, that day peyit to Patrik Cuschnye, for thrie dossonis and two glassis, 6lib. 18s.
Peyit Jon Wobstir for two dossonis glassis, 2lib. 8s.
Peyit George Morisone for two punischeonis wyne, 85lib.
Peyit James Willox for his painis in putting up the scaffalin, 1lib. 9s.
Item, for sum wyne cokis to draw the wyne be, 4s.

Discharge, 1632–3.

Item, for the tounis courtasie to the bischope of Ross, 12lib.
Item, spent in Skipper Andersonis, wben Mr. Thomas Graye and Androw Meldrum gewe the toune seassing of the four riggis to the kirk of Futtie, 5lib.
Item, for tarre, to tarre the women's plaidis, 8s.
Item, payit the thesaurar, quhilk he gewe to Alex^r^ Pantoune, gen d'arme, at the counsells directioun, 100lib.
Item, spent in Skipper Andersone's, with Jhone Mellis and George Grant, when he deliuerit the Ladie Drum's mortified moneyes, 14lib. 2s.
Item, for buistis, at the same tyme, 3lib.
Item, ane mutchkine oile oline to the knokis, 12s.

Item, for the tounis courtasie to the Ladie Errol, 12lib.

Item, giwen Mr. Dauid Wedderburne, att the counsells command, for helping to print his grammer, 100lib.

Item, for scaffelling the cross on the coronatioune daye, 9s.

Item, giwen James Thom for going to Donand fair, Ashwadinsdaye, Ruidfair, Laurenfair, and to Bartilfair, to charge forstalleris, 23lib. 4s.

Item, for turnitour to the tounis fittmantill of small pesments, buccasie, and some welwet that wanted to outred, conforme to the merchants particular compts, 113lib. 10s. 8d.

Item, to George Bruce, for furneissing of the brydillbytt, stirupe irnes, ledder to the harneissing, and workmanschipe, conforme to his particulare compt, 80lib. 8s. 4d.

Item, to his man, for his drink silwer, 2lib.

Discharge, 1633–4.

Item, debursit for ane supper in Gilbert Andersone's hous, maid to Doctor William Forbes, minister of this burghe, befoir he went south to be inaugurat bishop of Edinburgh, the magistrattis and remanent of the tounes ministers being present thairat, 32lib. 18s.

Item, to the violeris that nicht, 12s.

Item, for wyne careit to the Crabstane at the said Doctour Forbes departure, 2lib. 8s.

Discharge, 1635–36.

Imprimis, giffin to meassones for hewing and putting on the stanes on the portis, 1lib. 4s.

To Jon Hector, for putting on the heidis, and drink to prissoneris, and 2 nichtis candle to Gilderoyes men, 2lib. 2s.

Item, at the making of the primat of Edinburght burges, for Frensche wyne, 5lib. 8s

Quart seck, 2s. 8d.

For ditto, tubacca and breid, 1lib.

Mair, 7 buistis skorchettis and confittis, 4lib. 4s.

To Mr. Dauid Wedderburne, according to the counsels warrand, 50lib.

For tymmer, and making 1 geibbit to Futties Lynks, [nil.]

Discharge, 1637–8.

Item, to Johne Duff, skipper, for shooting the tounes ordinances at the Lady Marqueis buriell, 1 lib.

Item, for ane dussone of buistis, quhilk were coft for the use of the commissioneris of burrowis, at thair coming to this burghe anent the mater of the covenant, and wer spent sensyne with Mr. Robert Petrie and otheris, 7 lib. 4 s.

Discharge, 1639–40.

The 6th day of August, gave to the courtesie of the toune to the commissioneris of Glasco and Perthe, in Elspet Culones huse, conforme to hir count, 8 lib. 11 s.

The same day, in the said husse, with Mr. Androw Cant, 3 lib.

The 7th day, given the tunes curtisie to Mr. Androw Ramsay and his sones, in Norman Arbuthnetis houss, conforme to hir count, 4 lib. 9 s. 4 d.

The 20th day of August, to James Murray, clark to the assemblie, for extracting suche actis as conserned the tune, 13 lib. 9 s. 4 d.

The 22nd day, to ane messenger of armes, for cariage of lettres from Edinburgh, 2 lib. 13 s. 4 d.

The same day, to ane post, for going to the campe at Strathbogie, 19 s.

The 15th day, to aue boy, for going throw the friedom, 4 s.

To sum sogeris that war keiped in the craftis hospitall, for bread and drink, 1 lib. 2 s. 8 d.

The 25th day of Jullie, begane withe Anapell Barnet for interteining of aucht Speniardis, at 54 s. the day, and payed hir for the 27th of August, is 33 rex dolleris, 89 lib. 2 s.

The 8th day of September, gevin to the bankett to Generall Maior Monro and his captanes, in the counsall huse, conforme to the particular count, 65 lib. 12 s. 4 d.

The 13th day, gevin him the dener in Skeper Andersonis huse, conforme to hir count, 13 lib. 2 s. 8 d.

For 13 ell ½ of ribandis, at 4 s. the ell, 2 lib. 14 s.

For 1500½ singell plentioun naillis for building the court d'gard, at 10 s. the 100, is 7 lib. 15 s.

For 1500½ dowbell plentioun nailes, for that same wse, at 18s. p. 100, 13lib. 19s.

For hemp to the cannonis whan they wynt to Drume, 1s.

Discharge, 1641–2.

Item, to John Menzeis, lawful sone to Gilbert Meingzeis, for helping him to buy necessars for his louratione, 13lib. 6s. 8d.

Item, to Eduard Rabine, printer, for printing of the thessus of the college of the broch, at the lourtione of the skolleris, this present zear, quhilkis are dedicat to the magistrattis and counsell, 12lib.

Item, to Eduard Rabin his servand, in drinksilner, 1lib. 6s. 8d.

Item, to George Jaffray, for hom bringing of Dr. Reid's buiks from London to the college of New Aberdeen, 20lib.

Item, more, ane other supper to Dr. Frasser, with the tua principallis and regentis, 28lib. 12s. 8d.

Item, ane courtassie to my Lord Elcho, my Lord Balgone, and the master of Lonet and his ladey, 35lib. 12s.

Item, to Mr. Alex[r] Reidis vyiff, quhilk was restand to hir for quartring of the Gordouns the tyme of the last trubillss, conforme to ane warrand of the counsell, 34lib.

Discharge, 1642–3.

To Eduard Raben, for prenting half a rime of the scooll actis and lawes, 5lib.; and at the setting of the pres, givin him and his men to drink, 6s. 8d., 5lib. 6s. 8d.

Discharge, 1643–4.

To ane boy going to the Erll Marschall anent the colledge effears, 2lib.

Item, for thre penneis, quhilk the wisetoris gave to the scolleris for thair premium, 10s.

To George Lauchlein, for making the tounes drumers sarks and bands, 4s.

To Robert Jack, for ane pair of schoues, 18s.

To Jon Steinsoun, for furnishing of the tuo drummeris clothes, 11lib. 13s. 6d.

Mair, for mack of thair clothes, 4lib. 13s. 4d.

Be varand of the counsell, gevin to Mr Thomas Mitchell, minester at Turreff, to help to big up the brig, 100lib.

To ane poist who veynt to seik intelligence concerning the rysing of the Gordonis, 2lib. 14s.

To Baylie Lumsdaill, quhilk he gawe in to clerk, with the appellatioun quhair the baillies appealed from the comatie anent the actioun thei had against the Laird of Leyes, 1lib. 6s. 8d.

To ane of the esteatis postis for bringing ane lettre to the toun for sending ane commissioner to the parliament, be varand of the baylies, 12s.

To Johne Schipard, for goeing with lettres to my L. Burlie, 12s.

For naillis, and ane door to the blokhouss, 19s. 6d.

Quhen the Erll of Kingorne, minister, and secreter, wer maid burgessis, 1lib. 13s. 4d.

To ane boy that veynt to seik baggage horss to carie Kingorns bagage, 2s. 8d.

To James Straquhin, quha veynt to seik bagag horss to the Irish regiment, 6s.

To Thomas Con, for going to seik bagag horss, 6s.

To ane boy who brought lettres from the prouest, 4s.

To Major Forbes, for tuo dayes lon to tuo of Leyes sojoris, 12s.

For candell to the court a guard quhen the Marques Huntlie wes in the toun, 6s.

To Thomas Moncor, younger, for ane new stamp to the playding elvandis, the stamp being losed be Robert Messour in Ellene merket, 1lib. 4s.

To Androw Rob, for the tounes pairt of the calsie at the clerkis chamber, 12lib. 7s.

Be varrand of the counsell, to Alex^{r} Gray, reader, giwen him, 13lib. 6s. 8d.

Mair, for drawing of the tounes armes, and penting of the cullouris, 5lib. 6s. 8d.

To Alex^{r} Read, for interteaning of the charmerer now in the holl, at 3s. ilk day, fra the 14th of Jun to the 25th of September, 12lib. 11s.

Discharge, 1647–8.

Item, deburst fourtie fywe s. to Androw Watsone, for sex quarteris ribbons of silk and silver to his burges act.

Deburst, be warrand, four pound sextein s. to Alex[r] Body, for ane steane candill to the guardis in tyme of the infectione.

Deburst tualff s. for roset to burne in the cheppill.

Item, to tuo men, for dressing the cheppell, and burning the roset in it, 12s.

Deburst sex s. for ane pound candell to the heich counsel house, 6s.

Item, for ayle, tobacco, and pypes, to the hiche counsel house, 10s.

Deburst, be varrand, to George Morresone, auchtein s. and 40s., for ane mutchkin inck.

Deburst fyiftie fyive pund ten s. to Robert Valker, for easting threttie sevin thowsand feall to cover the graves of thame that died in the infectione, and var buried among the sandis.

Item, deburst to Alex[r] Cruikschank and George Blaick, fyiftie fywe pund ten s., for leading the sam threttie sevin thowsand feall, at threttie s. the thowsand.

Item, deburst twentie markis to Alex[r] Deanes for laying the sam threttie sewin thowsand feall on the graves, 13lib. 6s. 8d.

Deburst, mair, to Patrik Leslie, skinner, for wool and ane skinn to giwe to Edvart Raban to print the papers that is prined on the bristis of thes that stand on the scaffold, 16s.

Deburst to ane man whom I sent as a spy to Patrik Mackies tymes, who was ther four nightis, for his charges and drinksilver, ane dollor, 2lib. 15s.

Be warrand, to four men, for careing deallis to the huttis, 14s.

Be warrand, to W[m] Duffas and Robert Willox, for bigging fyve huttis, thrie pund, 3lib.

Be warrand, to Hew Kennedie, threttie nyn pund auchtein s., for to pay the sojouris that guardis the huttis.

Item, be warrand, to George Johnstoun, nyn cross dollouris, for ane horss to James Grahame, 24lib. 15s.

Spent with James Grahame, at his coming to the toune, 2lib. 3s. 4d.

Mair, for ane doubill trie to be ane gibbett besyd the court de guard; and

to David Anderson, for making it and for careing it thair; and to James Andersone, for putting it up, ane cross dollour, 2lib. 15s.

Item, for ane pair of joggis to be put to it, threttie sex s., 1lib. 16s.

Be warrand of counsell, to James Andersone and Alex^r Reid, scorgeris, for entertaining of the man quha committit beastealetie, fra the 6th Januar to the 15th Maii, being in all ane hundreth tuantie nyn dayes, quhilk extendis to threttie aucht pondis fourtein schillingis, qwhereof payit be Mr. Jon Forbes, minister at Kinkearne, fyue ponds ten schillingis, so rests deburst be me threttie thrie ponds four schillingis.

Be warrand of counsel, to Alex^r Chalmer, for his bygon pains, ten dolouris.

Be warrand for horse hyres, tuantie acht schillingis.

On warrand, to Baillie Moer and Alex^r Marshall, for hors hyre and charges to the generall maior, fyve pundis tua s.

On warrand, to tua posts with letteris fra the luvtenand generall to Fywie and Dier, to Generall Maior Midelton, fourtie acht s.

For feall to the court d guard, and putting them up, sex schillingis.

At tua seuerall tymes, spendet be the bailleis in Dauid Sinckleris, with the commanderis of the Marqueis of Argyll's regiment, making them burgesses at their waygoing, and with the commissar, James Carmichell, at the receaueing of the fyue hunder pond, in all sex pondis sevinteine schillingis.

On warrand, peyt for horshyre and charges to the baillies, to Monros, to the luvtenand generall, and to Generall Maior Hebron, and to ane bagag man to Fyvie, tuell pondis, 8s.

For towes that band the Irisches that war send south, acht schillingis.

To George Wilsone, post, to goe with letteris quhen the allarem cam that the Gordons war aproching, tuantie four schillingis.

Spendit be the prouest, tuo bailleis, and dean of guild, going to Lochkener to the comittie, be ordor of counsell, sewintein pounds 13s.

Given the courtesie of the toun to the generall artezlerie, for ane quart of Spanis wyne and tua quartis Frensch, 5lib. 6s.

Spendet with Luvtennent Crovner Hoom, and the rest of the officiers of the artelzerie regiement, making thame burgessis at thair waygoing, acht pondis ten schillingis achtpenneis.

The count of the courtesie giwen to Generall Maior Mideltone in the counsalhous:—

7 quartis Frensche wyne is 9lib. 6s. 8d.; 2 quartis Spanis wyne is 4lib 16s.; 9 pyntis strong eall, at 3s. 4d. the pynt, is 1lib. 10s.; 6 pond confectionis, at 30s. the pond, is 9lib.; 2 pond of sucker, at 24s. the pond, is 2lib.; 1 pek of bons, with butter, in all peyt 1lib. 10s.; for tobacco and pypes, 1lib. 5s. Quhilk extendis to, in all, 29lib. 15s. 8d.

To W^m^ Maitland, for tua gryt lockis to the brig of Die, and for stokis to thame, and for shots and yron work, and to the measone for seating the same, and for caring out a trie to be a baer, in all, 6lib. 8s.

To Johne Godsman, post, to goe with lettres to the Lord Frasser, and uther barons on Die syd, to keep watsch for the plaig, 12s.

Spendet in the counsell hous, upon Monsieur Montriell, the Frensche agent, as follows:—

3 pond whyt succour, at 1lib. 4s., 3lib. 12s.; 10 pond scortitsche and confectionis, a lb. 30s., 15lib.; peyt for waek confectionis, 10lib.; 7 quartis Frensche wyne is 9lib. 6s. 8d.; 1 quart of seek is 2lib. 13s. 4d.; for breid, 8s.; for tobacco and pypes, 1lib. 5s.; 1 quart of bier, and ane wyne glaes brockin, 12s. 8d. Quhilk extendis to, in all, 42lib. 17s. 8d.

Aucht bollis of lyme to the toelboothe, at 15s. 4d., is 6lib. 2s. 8d.; for caring of it, 16s.; for tuantie lead of sand to it, 1lib.; for ridelling and dressing, 10s. 8d. Quhilk extendis to, in all, 8lib. 9s. 4d.

For ane supper, in Alex^r^ Ramsay's, with the prowest and baillies, and commissione of the kirke, sextie four ponds, 64lib.

For piets and taer barell, and uther charges, burning the man for beastialitie, sex ponds 3s. 4d., 6lib. 3s. 4d.

Mair, for piets send to the kirk woult, that sould hev meltit the lead for the toolboothe, 1lib. 8s.

Discharge, 1559–60.

Item, to the king and queenis gracis pensioneris of the few meall of the tounis watteris and landis, as efter followis :—

Item, in primiss, to the beidmen in Ald Abirdene, 100 lib.
Item, to the erll of Craiffurd, 40 lib.
Item, to the bischop of Abirdene, 21 lib. 6 s. 8d.
Item, to the bischop of Orknay, 5 lib.
Item, to the bischop of Cathenes, 3 lib. 6 s. 8d.
Item, to the lard Drum, 5 lib.
Item, to the chaplanis of the cathedrall kirk, 6 lib.
Item, to the king and quenis controllar in the chakkar, 8 lib. 13 s. 4d.
Item, to the freris, 24 lib.

Summa, 213 lib. 6 s. 8d.

Item, to the mastir of the grammar skuill, for his zeirlie fee, 20 lib.
Item, to the commond clark, for his fe, 8 lib.
Item, to Sir Jon Thomsone, for his zeirlie pensione, 6 lib. 13 s. 4d.
Item, for ane annuel rent aucht to the chaplaine of Sanct John Baptist's altar, within the paroche kirk of Abirdene, 1 lib. 6 s. 8d.
Item, for ane annuel rent to the cathedraill kirk of Ald Abirdene, 1 lib. 6 s. 8d.
Item, ane annuel rent to the fewar of the kirk hill, 1 lib.
Item, ane annuel rent to the Trinite freris, 10 s.

Item, for keping of the tolhowss, 13s. 4d.
Item, for keping of the tolbuitht knok, 3lib. 6s. 8d.
Item, to the dempstar, for his fee, 1lib. 6s. 8d.

Summa huius perticulie, 44lib. 4s. 4d.

To the cheplanis of Sanct Nicolace kirk:—

Item, to Sir Johnne Blak, 14lib. 13s. 4d.
Item, to Sir Jon Collesoun, 3lib. 6s. 8d.
Item, to Sir Robert Spark, 7lib. 6s. 8d.
Item, to Sir W^m^ Walcar, 3lib. 13s. 4d.
Item, to Sir Jon Goldsmytht, 4lib.
Item, to Allex^r^ Andirsone, for Martimes, 1lib. 6s. 8d
Item, to Richart Reid, 2lib.
Item, to Thomas Mar, 2lib.
Item, to Dauid Cuming, 1lib.

Summa huius perticulie, 39lib. 6s. 8d.

Item, for candill in wyntir, in Anno LIX., to the hie kirk the haill zeir throw, 3lib.
Item, to Alex^r^ Rattre, quhill he haid debursit in the townis effaires, as his compt beirris, and for bringing the artelzarie our the wattir, 16s. 9d.
Item, to him, in part of payment of his fe, aucht be the toun, 4lib. 6s. 8d.
Item, to George Leslie, wrycht, for making stokkis to the gunnis, 1lib.
Item, for making of the chekker compt, in Anno LIX, 10lib.
Item, for ii. gallounis of wyne to my lord Huntlie, and ane pynt to fill the stoppis witht, 1lib. 2s. 8d.
Item, to the prouest, for riding to the parliament, 26lib. 13s. 4d.
Item, to maister Duncan Forbess that same tyme, 13lib. 6s. 8d
Item, to Dauid Mar the same time, 13lib. 6s. 8d.
Item, for ane garmont and haill stand of claythis to maister Adame Herreot, at the townis command, 28lib.
Item, Adam Herreot, himselff, his seruand, and his horss, the spaee of ix. owkis ellis bigane, 25lib.
Item, to W^m^ Jameson, for dichting of the brig, 11s.

Discharge, 1577–1578.

Item, to the maister of the sang schoill, for his fee of the saids twa termes, 14lib. 13s. 4d.

Item, the comptar discharges him of small annuelles of the toun, on payit the saids tua termes, extending to 13s. 4d.

Item, to Andro Kyng, for the Trinite freiris annvell of the saids twa termes furtht of the pott watter, 10s.

Item, to maister Johnne Kennedy, furtht of St. Thomas cheplanri, for the saids twa termes, 3lib. 8s. 8d.

Item, for candill to the kirk the last wynter, 20s.

Item, to Jon Calder, pursuvant, at command of the provest, for the townes vnlaw, thro non apperance in dew time to the checkar compts, in anno 1577 zeires, 3lib.

Item, for the process of the checkar, 10s.

Item, the comptar discharges him with the few maill of the twa mylles within the toun, of the zeir contenit in the charge within writtin, foirmalit, extending to 18lib. 13s. 4d.

Item, with the few maill of the twa justece mylles the said zeir, foirmalit, extending to 6lib. 13s. 4d.

Summa lateris, 49lib. 1s.

Item, with the small custumes of the saids twa termes, foirmailit, in 6lib. 13s. 4d.

Item, he discharges him with the few maill of ane nett of Done, of the saids twa terms, foirmailit, extending to 19lib. 12s.

Item, with ane aucht pairt of the croves, the saids twa termes, foirmailit, 3lib. 2s. 6d.

Item, with ane halff nett of the fuirds, the saids twa termes, foirmailit, 33s. 6d.

Item, with the few maill of Tullocht, the saids twa termes, foirmalit, 3lib. 7s. 4d.

Item, upon the secund day of September, 1578, for our disiones, or we passit to visie the fredome of this toun, 10s.

Item, for horss hyir, 10s.

Item, to ane boy that passit witht us, 2s.

Item, for 1 quart of wyne cared with us, 8s. 8d.

Discharge of the resaitt within writtin.

To our soverane lord's pensionares:—

In the first, to the beidmen of Ald Abd^{n}, for thair pensioun of the saids termes of Mertimes, 1577, and Witsonday, 1578 zeirs, 100lib.

Item, to the clerk of regestir, in name of my Lord and Lady Crafourd, for the saids twa termes, 40lib.

Item, to the Laird of Drwm, 5lib.

Item, to Dauid Mar, furtht of the tolhouss, vsit to be payit to the blak and quhyte freiris, 24lib.

Item, to the cheplanes of Auld Abd^{n}, and Alex^{r} Hay, for thair pensioun, furtht of our soverane lord's rents for the saids twa termes, 6lib.

Item, to the Bishop of Aberdeen, for his pensioun of the saids rents, for secund teynds, of the saids twa termes, 21lib. 8s. 8d.

Item, to our soverane lord's comptroller, 17lib.

Summa of the haill discharge precedand, extending to 213lib. 8s. 8d.

Item, for the ministeres houss maill of the saids twa termes, 20lib.

Item, to Walter Cullane, reidar, for his fee of the saids twa termes, 30lib.

Item, to W^{m} Walkar, for his fee for keiping of the kirk, 6lib. 13s. 4d.

Item, to the chanter of the kirk, for his fee for the saids two termes, 10lib.

Item, to the comptar, for making of the checkar compts, 10lib.

Item, to the maister of the gramair schuill, for his fee the saids two termes, 33lib. 8s. 8d.

Item, to the rewlar of the knokis, 6lib. 8s. 4d.

Item, to the dempster, 27s. 8d.

Item, to the thesaurar, for his fee, 10lib.

Item, to the writtar of the townes acquittancies, 90s.

Item, to the cheplanes of St. Nicholes kirk, out of the justece mylles, 4lib.

Item, to the commoun clerk, for his fee, the saids twa termes, 8lib.

Item, to the fewar of the kirk hill, 20s.

Item, for quhyt breid, 2s.

Item, that ilk day efter noyne, spendit in the croves, 10s.

Item, to Thomas Dicksoun, for passing thryis thro the fredome, for vylling of new habitatioun, 12s.

Item, to Alex^r Ruyrfuird, of the rest of 48lib., quhilk wes restand to vmquhill maister Patrik Ruyrfuird, his fader, sen he wes thesaurar, conforme to ane act maid yairupon, 18lib.

Discharge, 1588–1589.

Item, the comptar discharges him with the annuell of umquhill Thomas Branche land, besyd the kirkzaird, giffin to umquhill Jon Phanevin, the said twa terms, 26s. 8d.

Item, to Jon Androw, for the act gevin to the toun of the discharge of the road of the brig of Dee, 5lib. 10s.

Item, to Mr. George Abircrummy, for raising of the commissioun to the toun for forstalling and blak fishe, 4lib. 16s. 8d.

Item, for my awin charges in adwysing upoun the thesaurar, aucht dayis in Edinburght, for raising of the said commissioun, 12lib.

Item, for depursineas to be maid at the making of the cheker comptis, by my awin chargis.

Item, given furtht in Edinburght, for the townis turnis, the tyme Alex^r Rutherfard and Alex^r Cullene was chargit befoir the secreitt conselle, 15lib. 8s. 4d.

Item, to the wyfe of Mr. Dauid Ruyerfurd, for the banket maid to the lords, 26lib.

Item, debursit be the comptar in the tounes necessar adois, and caussis knawin to the auditouris, 50s.

Charge, 1591–1592.

Item, with ane zeris maill of the gray freir kirk, sett and roupit for 10lib. 13s. 4d.

Discharge.

Item, to Hew Hervye, according to ane ordinance of counsall, of the dait the xvii. day of November, 1591, for his pains and labors takin be

him in ingadering and collecting of the profitt of his Majesties tocher, and wreting and subscryving of acquittances thairupoun, the saids tua termes, 5lib.

Item, to Mr. Thomas Mollisoune, commoun clerk, for his fie, 8lib.

Item, conforme to ane act of counsall, of the dait the last day of May, 1592, send to Edinbrugh, to Mr. Thomas Mollisone, clerk, for persuit of the actioun intentit be this burght agains the Erll off Angouss for the tua thousand merkis, and to raiss lettres agains Gilbert Mengzeis of Fyndoun and Mr. Thomas Mengzeis, his curator, for the small custumes, and agains Patrik Leslye, for the bell custume, and agains Henrye Forbes, and his tenentis of Keppilhill, for thair occupatioun of the townis tredome, 8lib. 9s. 4d.

Item, conforme to ane ordinance off consall, of the dait the xxvii. of October, 1591, debursit be me for payment of the annuell rent off his Majesties tocher off the Martemes terme, 1591, 33lib. 13s. 4d.

Discharge, 1592-1593.

Item, for spyceries presentit be the toune to his Maieste, be vertew of ane act of counsall, at his being in Aberdeen in Februar last, as the particular compt specifies, 53lib. 12s.

Item, to ane poist that come witht ane precept of parliament, 20s.

Item, for quhyt candill, the night the statutis wes revysit be the counsall, 1s. 4d.

Item, to Androw Haye, officiar, to bye meit and drink to Mr. W^m^ Murdoe, the nicht he wes in the kirk wolte, and for keping of the said Mr. William, 5s. 4d.

Item, to his Maiestes futman, quha brocht ane lettir to the provost, ballies, and consall, 30s.

Item, to Jhone Browne, messinger, quhen he brocht the charge to produce the townis halding, 30s.

Item, to ane boy to gang with Mr. Jhone Cheyne, to gett the townis dispensatioun, witht in meting the kyng at Cowye, 20s.

Item, to Thomas Glashen, post, for kareing the kingis messives to the Erles Atholl, Lord Lovat, and Laird of Makengzie, 40s.

Item, to Jhone Androw, clark of the secreit consall for the band maid to the kyng be the towne of Aberdeen, concerning the resait of diuers lettres, and for lettres of treasone upoune Mr. Alex[r] Fraser, for not delyuering the townis buks, and for making of twa billis to gif in to the secreit counsall for obteining of certane privilegis, 5lib. 6s. 8d.

Item, to his serwands for drink siluer, 20s.

Item, to ane boye, for kareing ane letter to Mr. Patrik Cheyne, baille, to caus him cum to the towne fra Buchane to see the warningis maid upone the bell and small custumes, 5s.

Item, to Archibald Douglas, mesinger, for tarreing thre severall dayes in the towne, to gif intimatione of horning to Jon Leslye in the Law, or he agreit with the towne, 20s.

Item, to ane Frenche brodinster, being ane puir man, at the counsallis command, 20s.

Item to ane man that careit the corn fra the Newhillis to saw Mr Alex[r] Frasers new laborit land, 11s.

Item, for wreting of copeis to warne the possessors of the townis tackis, 3lib. 5s.

Item, to Mr. Thomas Cargill, to caus print certane verse in Latin, in commendatione of my Lord Merscheall for erecking the new college in Aberdeen, at the counsallis command, 3lib.

Item, to Jhone Browne, messinger, quhen he brocht ane precept of parliament, 30s.

Item, to Patrik Jack, to mak owt his 500 merkis of the first stages payment with the graye frers, quhilk wes joynit to the 16 score libs., with the proffeit of the siluer of Ardlar, 13lib. 6s.

Item, to Thomas Glashen, to gang witht messives to Drimy Leyis and Corss frome the towne, to adwerteis thame of the Helan menis incursionis and dyat, 12s.

Item, for towis to the commond bell, 6s. 8d.

Item, to ane puir man that brocht newis that the Hieland men rade within aucht mylis, at the balles command, 3s. 4d.

Item, for subscryving of twa preceptis of shireffis and commissers, to summond witnes upone cognitione of the townis lands, 6s. 8d.

Discharge. 1594–1595.

Item, to Duncan Forbes, for his crownar fee for the haill towne, quhen thai suld have enterit to the justice air, at command of the provost, 5lib.

Item, for letteris raisit at the instans of the towne of Aberdeen agains the Auld towne of Abirdene, and thair adherentis, for ryding of our landis, 4lib. 18s.

Item, for mending the grammer scoole with hedder, 50s.

Item, for mending the calsaye besyd the well in the Overkirkgett, according to ane ordinance of counsall, 5lib. 11s. 6d.

Item, to Robert Jonstone, for desert and ypocras to the dukis banquet, maid to him be the towne, 10lib.

Item, to Alex[r] Haye, poist, to gang to Edinburt to the agent of burrowis, to raiss letteris to summond witnes in the cost syd to compeir at the conventione of borrowis in Perthe, for preving the auncient possessione of our small custumes and Syiss boll, 10lib. 13s. 4d.

Item, for ix. hunder and a half of sklatis, to help to repair the graye freirs kirk, quhilk are zit lyand in ane sellar within the said place, 12lib. 13s. 4d.

Item, for kareing the said sklatis fra Futtye to the graye friers zett, and housing of them, 26s.

Item, to Alex[r] Hay, poist, to gang to the Steinhyve with ane letter to the skipper and merchandis of ane schip that com furtht of the Eister Seis, with rye and rye meill, to knaw gif shoe wald sell to the towne, at the bailleis command, 8s.

Item, to Myll, the poist, to bring hame letteris, of suspensione of the horning execut agains the provost and balleis for not taking of my Lord Forbes, 7lib

Item to William Findlaye, easymaker, for making the calsaye without the Gallowgett porte, 4lib.

Item, to Jon Tullidaff, for wyne to the communione, 11lib. 4s.

Item, for quhyt breid to the communione, 24s.

Item, for ane lawing in Jon Tulidaffis, at the bying of the sowndis beir, at the balleis command, 6lib. 13s. 4d.

Item, to Chackum, to gang to Done, to Mr. Richard Irving to caus him

cum and ryd witht the commissioners to the tryist betuixt the towne and the Laird of Muchell, 4 s.

Item, for ane garrone to the madin, mending of her be George Annand, wright, scharping the aix, for saip to the tow, kareing of hir to the hill, and hame agane to my Lord Merschells cloiss, 25 s.

Item, to Alex^r^ Ewin, dean of gild, to help to paye the kingis siluer, quhairwitht the said Alex^r^ hes chargit himself in his comptis, 60 lib.

Discharge, 1595–6.

Item, gevin and send to Edinburgh to Mr. Alex^r^ Hay, to rais letteris of suspensioun of the doubill charges execut agains the toun for the burrow maillis, be vertew of ane act of consall, of the dait the xiiii. day of April, 1596, 10 lib.

Item, be vertew of ane ordinance of consall, of the dait the xxix. of Junii, 1596, debursit be the comptar vpon the bankett gevin to the commissionaris of burrowis, convenit at this burght the first of Julii last bypast, quhilk was gevin in Thomas Donaldsones hous, 165 lib. 4 s.

Item, to the said Thomas Donaldsones wyiff, for fyre, candill, neaprie, and occupeing of hir hous, 10 lib.

Item, to the maister cuikis, thair thrie boyes, with the porteris and women servantis that servit at the said bankett, 8 lib. 6 s. 8 d.

Item, be vertew of ane ordinance of counsall, of the dait the xiii. day of August, 1596, gevin to James Settoun, commissionar chosin for this burght, to pas to Edinbrugh to his Majestie, anent the mater of the custumes and raid to the ilis, 44 lib.

Item, gevin to Alex^r^ Rutherfurd, for the extract of the townis eque, and for drinksiluer gevin be him to the keparis of the dur of the checkarhous, 7 lib.

Item, be vertew of ane uther ordinance of counsall, of the same dait, gevin to James Mowatt, his servitor, for the purchesing, passing, and extracking of his Majesties gift grantit to this burght, of the new impost, and for the letters reseit therupon, 36 lib. 11 s. 4 d.

Item, the comptar discharges him with the sowme of tuelf pairts of the

sowme of xxxviii. merks of the Laird of Petfodellis fewmaills of the common mylnis of this burght of the saids tua termes, obtenit be Mr. Robert Howye, principall of the college of this burght, agains the said Laird of Petfoddellis and his tenents of the Justice Mylne, for ane annuell of tua merks aucht furtht therof for nyne zeris immediatlie bygane, conforme to ane ordinance of counsall, of the dait the viii. of Semptember, 1596, 12lib.

Item, presented to my lord president, at his lait being in this burght, in September, 1596, the wyne and spycerie, at command of the prouest and bailleis, 7lib. 8s.

Item, to ane seik diseasit woman in the Spittel for hir support, at command of the prouest and bailleis, 3lib.

Item, gevin for wyne and spycerie, at the hering of this present compt and certan uther the townis comptis, 8lib.

Discharge, 1596–1597.

To the townis pensionaris :—

Imprimis, to Walter Cullan, redar, for his pensioun of the saids tua termes, 20lib.

Item, to the maister of the grammer school, for his pensioun of the saids tua termes, 80lib.

Item, to the maister of the sang school, for his pensioun of the saids tua termes, 80lib.

Item, to James Tod, redar, for his stipend the saids tua termes, 46lib. 13s. 4d.

Item, to maister Thomas Mollison, common clerk, for his clerk fie the saids tua termes, 8lib.

Item, to the beidmen of Sanct Thomas Hospitall, within this burght, quhilk was in use of auld to hawe bene payit to thame furth of the grayfreris yard, now dotit to the college of this burght, for the saids tua termes, 40lib.

Item, to the Bischop of Abirdene, for the fewmaill of Ardlar the saids tua termes, 1lib. 6s. 8d.

Item, to the said bischop, for the fewmaill of Caprastoun the saids tua termes, 3lib. 10s.

Item, to Jon Kilgour, in Auld Abirdene, for the annuelrent obtenit be him aganis the occupearis of the wastmost buythis under the tol-buitht, of the saids tua termes, 2 lib.

Item, to the comptar, for his fie the saids tua termes, 10 lib.

Item, for macking of the townis compts in the checker, 10 lib.

Item, to Hew Hervie, for his fie in macking of the comptar acquittances the saidis tua termes, 6 lib. 13 s. 4 d.

Item, to Mr. Jon Nicolsone, aduocat, for his pensioun the saids tua termes, 13 lib. 6 s. 8 d.

Item, to James Mowatt, for his pensioun the samen tua termes, 8 lib. 6 s. 8 d.

Summa particulie, 329 lib. 16 s. 8 d.

Item, be vertew of an ordinance of counsall, of the dait the xxiv. of September, 1596, presented to my Lord Ogilvy, ambassadour to his Majestie, laitlie landit from Denmark, direct the ambassadour to the King of Denmarkis coronatioun; the wyne and spycerie which the comptar debursit, 9 lib. 1 s. 4 d.

Item, the xvii. of Februar, at the prouestis command, to Alex[r] Hay, post, and tua warkmen, for bringing in of certan witches, 13 s. 4 d.

Item, at command of the prouest and bailleis, to Alex[r] Andersone, post, for careing of the townis letter to my Lord of Huntlye, at the Bog of Gight, anent the commissioun purcheist on the witches, 2 lib.

Item, be vertew of ane ordinance of counsall, gevin to Alex[r] Rutherfurd, prouest, and Robert Mengzeis, commissionaris chosin for this burght, for keping of the convention of estatis at Perth, the last of Februar, 1596, for macking of thair expensiss at the said conventioun, 100 lib.

Item, be vertew of ane ordinance of counsall, of the dait the xx. of Aprill 1597, gevin for wyne and bread to the ministratioun of the communioun tua seuerall Sondayes, 7 lib.

Item, gevin, at command of the prouest and bailleis, for sex quartis wyne to ministrat the sacrament of the Lordis Supper quhen the Erlis of Huntlye and Erroll war absoluit of thair excommunicatioun, 4 lib. 16 s.

Item, for bread to the communioun at the same tyme, 12 s.

Item, be vertew of ane ordinance of counsall, of the dait the xxvii. of

Junii, 1597, debursit upon wyne, spyceerie, and glassis, at the Croce, at the receaving of the Erlis of Huntly and Erroll to his Majesties pace, as followis, vizt.: for aucht quartis wyne, at xvi. s. the quart, is, 6 lib. 8 s.

Item, for auchtene glassis cassin at the Croce, at 20 s. the dussone, 1 lib. 10 s.

Item, for ane dussoun buistis scorchettis, counteittis, and succer almonds, at aucht s. the buist, is 4 lib. 16 s.

Item, to Johne Laying, for naillis to fessin the tapestrie about the Croce, 2 s.

Item, be vertew of ane ordinance of counsall, of the dait the third of Junii, 1597, gevin to maister Thomas Mollisoun, commoun clerk, for macking of his expensiss to Edinburght, commissioner direct from the town to his Majestie, anent the pirattis quhilks war execut in this burght, 26 lib. 13 s. 4 d.

Item, gevin to the said Mr. Thomas, be vertew of ane act of counsall of the dait the third of August, 1597, debursit be him for bying of a register book of Lumbart paper to register the townis evidents, 6 lib.

Item, to ane post send to my Lord Forbes at Drummynour, with a missive of the counsallis anent the haulding of Barthell fair, 1 lib.

Item, at command of the prouest, bailleis, and counsall, gevin to Maister Robert Howye, minister, in pairt of payment of his stipend of tua hundreth merkis quhilk he hes of this burght for his service in the ministrie, 76 lib.

Item, delyuerit to Willeam Dwn, dean of gild, be vertew of ane act of counsall, of the dait the 6th of Julii, 1597, in reimbursement of the sowme of fyftie sevin pundis 6 s. 8 d. debursit be him to the said Mr. Robert Howye, for completing of the said 200 merkis for this zeiris stipend, 57 lib. 6 s. 8 d.

Item, at the prouest and bailleis command, gevin for letteris of suspensioun to suspend the charges impetrat at the instance of the new college of this burght agains the town, for the xxiv. lib. out of the toll eustume, 2 lib.

Item, at command of the prouest, bailleis, and counsall, to Willeam Fyndlay, calsaymacker, for bigging of a calsay on the bowbrig, 12 lib.

Item, gevin to James Wilsoun, skletter, for his panis takin in stansching of the fyre, quhilk enterit in the gray freiris kirk, 1 lib.

Item, be vertew of ane ordinance of counsall, of the dait the day of September, 1597, gevin to Gilbert Guthrie, younger, messinger, for his panis and laboris in passing witht the dean of gild throw the haill fairis and mercattis within this shirefdome sen Michaelmes last, and their chargeing and areisting forstalleris, and for the said Gilbertis panis in ryding dyveris tymes to the Meirnis to charge the shireff of Kincardin and his deputtis to receaive the pirattis, 36 lib. 13 s. 4 d.

Item, gevin at command of the prouest and bailleis to Forbes the carter, for leading of stanes to the calsey of the bowbrig, 13 s. 4d.

Discharge, 1597–1598.

Item, the xxii. day of the same moneth of Marche, givin, at command of the prouest, balleis, and counsall, to Oliver Udnie, burges of this burght, than purposit to the eist partis, 26 lib. 13 s. 4 d.

Item, be vertew of ane ordinance of counsall, of the dait the fourt day of Aprill, 1598, gevin, for a commission of his Majestie direct to certan of the ministrie and utheris, to sitt and do justice on Robert Arthor and Agnes Arthor his sister, for the cryme of incest, committit be thame, thrie crownis of the sune, is 10 lib.

Item, be vertew of the said ordinance, gevin to the poist that past to Edinburght for the said commission, 5 lib.

Item, be vertew of ane ordinance of counsall, of the dait the xii. day of the said moneth of Aprill, gevin to Thomas Mengzeis of Durne, quhilk was debursit be him in Edinburght, for macking, signeting, and registring of this brughes discharge for thair remaining at hame fra the raid of Dumfreis, 3 lib. 10 s.

Item, at command of the prouest and bailleis, payit for the disioyne in Alex^{r} Forbes hous, that day that the bishop red south towards Edinburght, being appoyntit to pas embassador to Denmark, 53 s. 4 d.

Item, the xxiiii. day of Aprill, 1598, gevin at command of the prouest and bailleis, to the poist that com to this burght with a missive fra the burght of Glasgow, for keiping the conventioun of bur-

rowis to be hauldin in Glasgow in the moneth of July thairefter, 20 s.

Item, the xxv. day of the said moneth of Aprill, presentit to the erll of Huntly, at command of the prouest and bailleis, the wyne and spyceric is 6 lib. 16 s.

Item, the said day, gevin at command of the prouest and bailleis, for lettris to charge the town to mak payment of the taxation of Dumfreis raid, 40 s.

Item, the xxi. day of July, 1598, presentit to the laird of Cesfuird the wyne and spyceric at command of the prouest, bailleis, and counsall, 6 lib. 8 s.

Item, gevin to Thomas Dicksoun, officer, for careing of a letter fra the prouest and bailleis, to the laird of Petfoddellis, 6 s. 8 d.

Item, be vertew of ane ordinance of counsall, of the dait the xix. of July, 1598, gevin to Mr. Thomas Mengzeis, baillie, quhilk he debursit at the lait conventioun of burrowis in Glasgow, for this burghts pairt of the taxation of tua hundreth punds, grantit be the haill burrowis to the reparatioun of the kirk of Bruntisland, 16 lib.

Item, be vertew of ane ordinance of counsall, of the dait the xxviii. day of August, 1598, gevin for ane chalder of coillis laid in to maister Peter Blakburne, minister, to be his wynter fyre, 15 lib. 12 s.

Item, payit for metting of the saids coillis, and careing of thame to the ministeris hous, 25 s. 4 d.

Item, be vertew of ane ordinance of counsall, of the dait the said xxviii. day of August, gevin to Robert Elder, messinger, to stay the denunciatioun of the prouest and bailleis for not presenting to the prouest and bailleis of Dundy, thrie persones alledgit, gevin to this burght be the erll of Huntlye, as suspectit of fals cunzie, 3 lib.

Item, be vertew of the same ordinance, gevin for letteris of suspensioun to suspend the chargis gevin be the Bishop of Abirdein for the secund teynds, 50 s.

Item, gevin be vertew of ane ordinance of counsall, of the dait the fourt of September, 1598, for the wyne and spyceric presentit to maister Johne Skene, clerk of register, 5 lib. 4 s.

Item, gevin at the prouest and bailleis command, the viii. of September, 1598, to ane poist that com fra Edinbrugh to this burght for send-

ing a commissionar to Edinburght anent the innovatioun of the custumes in France, 20s.

Item, gevin to ane poist for ganging to maister James Skene of Ramoir, anent the actis of parliament, 8s.

Discharge, 1598-9.

Item, be vertew of ane ordinance of counsall, of the dait the xiii. of November, 1599, gevin to Johne Leslye in Kyntor, for the teching of the sang school of this burght fra the tyme forsaid till Candilmes nixt thairefter, be reasoun of the deceis of Mr. Willeam Skene, sumtyme maister of the said school, 13lib. 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xvii. of the said moneth of November, gevin to Mr. Dauid Robertsoun and maister Alexander Scrogie for thair labouris in preiching the word of God to the congregatioune of this burght, efter the transportatioun of maister Robert Howye to Dundie, 100lib.

Item, gevin to Patrik Watter for the uptacking of the psalme in the new kirk, according to ane act of counsall, of the dait the xvii. day of Januar, 1598, 3lib. 6s. 8d.

Item, gevin to Thomas Gordoun, gunmacker, for his fie in rewling of the knockis of this burght of the Mertemes terme, 1598, conforme to ane act of counsall, of the dait the xxiiii. day of Januar, 10lib.

Item, gevin to Mr. Dauid Cunninghame, Bischop of Abirdene, according to ane act of counsall, of the dait the sevint day of Februar, 1598, for the deutie of the secund teynds of the Martemes terme, 1598, and Witsonday terme, 1599, quhilk was sumtyme allowit in checker as a pairt of the burrow maillis of this burght, but now simpliciter dischargit, 22lib.

Item, be vertew of ane act of counsall, of the dait the nint day of . . . 1599, gevin to maister Alexander Fraser for his richt of the prothogoll bnikis of umquhill maister Johne Kennedy, 80lib.

Item, be vertew of ane act of counsall, of the dait the xii. of . . . 1599, gevin to maister George Greir, minister, for his expensis in cuming to this burght from Edinbrugh, as he that was put in licence to have bene ane of the ministeris of this burght, 40lib.

Item, gevin for the said maister George hors hyre from Edinburght and bak to Dundie, 3lib. 7s. or 8s.

Item, gevin, at command of the prouest and bailleis, for the wyne and spyceerie to the said Mr. George Greir, the nicht befoir his passing out of this burght, 3lib. 6s. 8d.

Item, gevin, at command of the prouest, bailleis, and counsall, for the said Mr. George ordinar chargis and expensiss during his remaining within this burght, quhilk was be the space of ten dayes, in the hous of Mr. Peter Blakburne, minister, 13lib. 6s. 8d.

Item, gevin for letteris of suspensioune to suspend the chargis of horning execut aganes the prouest and bailleis, at the instance of Robert Arbuthnott, for tacking of Alex[r] Ewyne and his eatiounaris, conforme to ane act of counsall, of the dait the xxiii. of Julii, 1599, 5lib. 6s. 8d.

Discharge, 1599–1600.

Item, to Alex[r] Rutherfurd, commissionar for this burght direct to Edinbrugh, anent the mater of the Stirling money, for macking of his expensiss in the said commissioun, conforme to ane act of counsall maid thairanent, of the dait the xxvi. day of December, 1599, 133lib. 6s. 8d.

Item, to maister Johne Cheyne, commissionar chosin to Edinbrugh in the mater of Stirling money, for macking of his expensiss, conforme to ane act of counsall, of the dait the first of Februar, 1600, 66lib. 13s. 4d.

Item, to the said Mr. Johne Cheyne, commissionar chosin for keping of ane conventioun at Edinbrugh, and als for keping of the conventioun of estatis at Perth, for macking of his expensiss at the saids conventiouns, conforme to ane act of counsall, of the dait the xxv. of Februar, 1600, 200lib.

Item, gevin, at command of the counsall, for ane seallit firlott of Leyth, 4lib.

Item, for the peck off Leyth, 25s.

Item, to Patrik Innes, servitor to maister Johne Skene, clerk of register, quhilk he inlaikit of the price of the actis of parliament takin from

him be this burght, according to ane act maid thairanent, of the dait the xxi. day of Julii, 1600, 4lib.

Item, gevin for wyne and spycerie presentit to Sir George Home and Sir Patrik Murray, 6lib. 2s.

Item, gevin to Robert Elder, messinger, at command of the prouest and bailleis, in drinksiluer, for bringing a missive fra the king, witht a missive from the burrowis to this burght, together witht a precept of checker, 40s.

Item, at command of the counsall, for a chalder of coillis to Mr. Peter Blakburne, minister, careage and mettage thairof, 13lib. 16s.

Item, for extracting of the actis aganis the nichtbors of this burght that hes the siluer of Ardlar, for rasing off letteris of horning thairupon, 53s. 4d.

Item, to the boy, in drinksiluer, for wreting of the saids actis, 5s.

Item, to Michaell Andersoun, post, for passing to Edinburght with the townis missives to gett knawledge giff the raid to Kyntyir held fordwards or not, 4lib.

Item, the aucht of August, 1600, debursit upon wyne, spyceres, and glassis spent and brockin at the mercat croce, at the solemnitie maid be the towne for the gude newis of the mervellous preservatioun of the kingis Majeste from the treasonable conspiracie attemptit agains him be the Erll of Gowrie and his bruther at St. Johnstoun, 12lib.

Item, the xxix. of August, gevin to Mr. Peter Blakburne, minister, and Mr. Thomas Mollisoun, clerk, for macking of thair expensiss, being directit commissionaris to his Majeste for craving of a confirmatioun of the thrie hundreth punds of pensioun, assignit furth of the thirds of the bischoprick of Aberdene, for payment of ane of the ministeris stipendis of this burght, conforme to ane ordinance of counsall maid thairanent, 80lib.

Discharge—Martinmas, 1600, *to Whitsunday*, 1601.

Item, at command of the prouest, bailleis, and counsall, gevin for the funerall expenssis of umquhill Walter Cullen, sumtyme redar of the paroche kirk of this burght, quha deceissit at Martimes last bypast, 10lib.

Item, gevin at command of the saidis prouest, bailleis, and counsall, to Leonard Leslie, the tyme of his passing to Flanderis, 20lib.

Item, gevin for ane barrell salmond, quhilk was send to maister Johne Skene, clerk of register, be directioun of the prouest, bailleis, and counsall, 30lib.

Item, for ane peck of salt to pickill the same, 6lib. 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xv. of November, 1601, gevin to Johne Nicolsoun for the maill of his new biggit hous at the burne heid, takin in sett to be ane sang school, quhill Witsonday nixt thairefter, as the said act beris, 12lib.

Item, gevin to maister James Ross, minister, for payment off his hous maill for a yeir, conforme to ane ordinance of counsall maid thairanent, of the dait the sevint day of Januar, 1601, 20lib.

Item, lykwayes gevin to maister Thomas Menzeis, baillie, commissionar chosin for the convention of burrowis, be vertew of ane ordinance of counsall for payment of this burghes pairt of aucht hundreth pundis grantit be the burrowis for hame bringing of strangeris to mak claith, 66lib.

Item, for the wyne, spycerie, and glassis spent and brockin at the croce upon the fyft of August, 1601, at the solemnitie maid the said day for his Majesties delyuerie, 7lib. 5s.

Item, at the provest and bailleis command, gevin to a pure Inglishman to his support, 1lib.

Item, be vertew of ane ordinance of counsall, of the dait the secund of September, 1601, debursit for letteris of horning agains the inhabitantis of this burght, for payment of the taxatioun of four thousand merkis, grantit in composition to his Majestie for ane new infeftment to this burgh, 5lib. 6s. 8d.

Item, be vertew of ane uther ordinance of the same dait, debursit to George Kerris wyf for the denner maid to the shireff and sic as war with him at the geving of the townis seasing upon thair new infeftment, 13lib. 6s. 8d.

Item, be vertew of the same ordinance, debursit to Marioun Cullen for the supper gevin to the young men that passit the time with schuting of hagbuttis, efter the geving of the said seasing, 8lib.

Discharge—Martinmas, 1601, *to Whitsunday*, 1602.

Item, to Gilbert Guthrie, younger, Marchemond herald, for his pension of the saids twa termes, 20lib.

Item, to Adame Gordoun, gunmacker, for his fie in rewling of the knokis of this burght for the saids tua termes, 26lib. 13s. 4d.

Item, gevin for the expensiss maid on the intertenement of Monsieur de Halzie, Frenschemane, and the gentilmen his Majestes servands quho cum to this burght with him in October, 1601, and for defraying of thair haill chargis during thair remaining in this burght, conforme to ane ordinance of counsall maid thairanent, 126lib. 3s 6d.

Item, to Gilbert Blak, coupar, for tuentie twa firlottis girdit with irne, and auchtene peckis, and mending of the watter mettis, conforme to ane ordinance of counsall, of the dait the 9th of December, 1601, 81lib. 3s. 4d.

Item, gevin to Johne Nicholsoun, be vertew of ane ordinance of counsall of the dait, for the maill of the sang school of the Martemes terme, 1601, and Witsonday terme, 1602, 18lib.

Item, to Mr. George Mackie, servitor of the grammer school, for his panis in attending on the school, fra the deceis of the maister thairof till the new maisteris wer admittit, conforme to ane ordinance of counsall maid thairanent, of the dait the tent of Februar, 1602, 10lib.

Item, to maister Alex[r] Cullen, baillie, commissionar chosin for this burght to keip the convention of estatis at Perth, the xxviii. of Julii, 1602, and for keping of the generall convention of burrowis at Air, the v. of Julii thairefter, for macking of his expensiss at baitht the saids conventiounis, 100lib.

Item, to the said Mr. Alex[r], for payment of this burghts pairt of the generall clerk and agent of burrowis feis at the said conventioun, 16lib.

Item, yit, to the said Mr. Alex[r], commissionar forsaid for this burghts pairt of the soume of tua hundreth punds, auchtand be the burrowis to thair generall agent, at the futting of his comptis, conforme to ane act of counsall maid thairanent, of the dait the secund of Junii, 1602, 16lib.

Item, be vertew of ane ordinance of counsall, of the dait the 3rd of Junii, 1602, gevin to Niniane Wear, messinger, to fill up the sowme of thrie hundreth fourtie four punds, gevin to him in complet payment of four hundreth and aucht punds for this burghis pairt of the expensiss maid be the burrowis on the mater of the claytht and strangers, 26lib. 13s. 4d.

Item, be vertew of the same ordinance, gevin to the said Niniane Wear, for his abyding within this burght, be the space of tua dayes, in aveyting on the said siluer, 3lib. 6s. 4d.

Item, debursit for the efternunes drink in Marioun Culleins, at the libelling of ane summonds againis the tenentis of Tullo to heir and sie the lands decernit in non entrie, 26s. 4d.

Item, the aucht of Marche, 1602, debursit for threttie horsiss to the prouest, bailleis, and commissionaris that redd to sett doun the townis lands and the Laird of Culter, 4lib. 6s. 8d.

Item, debursit in Marioun Culleinis, at the forming of the arbitral decreit betuix the towne and the Laird of Cultir, the nynt day of Marche, 1602, 53s. 4d.

Item, the sevint of May, 1602, for rasing of letteris of inhibitioun againis the Laird of Cultir, at the townis instance, 4lib. 10s.

Item, for registring thairof in the shireff buiks, 33s. 4d.

Item, the xxvii. of May, 1602, for registring of the decreitt arbitrall betuixt the towne and the Laird of Culter in the consistorie buiks of Auld Abirdene, 3lib. 9s. 4d.

Item, debursit in the consistorie, at the production of replyis for the towne againis the defensiss gevin in be the Laird of Cultir to stay the execution of the townis decreit arbitrall againis him, 3s. 4d.

Item, gevin in the consistorie, at the pronunciation of interloquitor in the said caus, 6s. 8d.

Item, for ane skin of parchement to wreit the extract of the decreit arbitrall betuixt the towne and the Laird of Culter, 10s.

Item, for the extract of the said decreit arbitrall furtht of the commissaris buiks of Abirdene, 6lib.

Item, to the wreittaris of the said decreit, for thair drink siluer, and for the compulsitor raisit thairupon, 45s.

Item, for decking and hinging of the croce, upon the fyft day of August,

1602, and for wyne, succer, and glassis spent and brockin thairat the said day, for his Majesties delyuerie, 7 lib. 12 s.

Item, the tent of the said moneth of August, for the wyne and succer presentit to the Marquis of Huntlie, 6 lib. 16 s.

Item, the xi. of August, for the wyne and spycerie presentit to my Lord of Fyvie, president, 7 lib. 10 s.

Item, the xxv. of the said moneth of August, gevin to Mr. Thomas Mollisonn, commissionar direct to his Majestie for getting a discharge of the raid to the Lewis, for macking of his expensiss in the said commissioun, conforme to ane act of counsall maid thairanent, 66 lib. 13 s. 4 d.

Discharge, 1602–1603.

Item, the 20th day of October, 1602, for the hyre of sevin horsiss to the townis commissionaris, for ryding the marches betuixt the towne and the Laird of Petfodells, 36 s.

Item, the samen day, gevin to ane boy for rynning to Hessilheid to desire maister Robert Chalmer to meitt the townis commissionaris on the ground betuixt Petfoddellis and him, 2 s.

Item, be vertew of ane ordinance of counsall, of the dait the xvi. of November, 1602, send to Edinburght to maister Johne Nicolsoun, aduocat, for defence of the suspensioun persewit be maister Robert Chalmer agains the towne anent the few dewtie of his lands of Hessilheid, 6 lib.

Item, be vertew of the same ordinance, send to Mr. Robert Mar, aduocat, quho wes imployed in the same caus, 3 s.

Item, gevin to Andro Hay, officier, for passing to Marieculter and summonding of the Laird of Petfoddellis, at the townis instance, anent the four hundreth merks, 13 s. 4 d.

Item, at command of the prouest and bailleis, presentit to the Erll of Erroll, in name of the towne, at his cumming to this burght from the south, in the moneth of December, 1602, ane gallowne wyne and halff a dussoun buistis, is 7 lib. 12 s.

Item, upon the penult day of Marche, 1603, conforme to ane ordinance of counsall of that ilk dait, spent at the mercat croce, on wyne, spycerie, and glassis, and for decking and hinging of the croce the

tyme of the solemnitie maid upon the day forsaid be the inhabitantis of this burght for the glaid tydingis that his Majestie wes proclaimed and declarit king of England, and for the efternune and supper in Marioun Cullenis, and for the wyne that com to the croce efter supper, conforme to the particular compt producit heirto, 58lib. 16s. 8d.

Item, presentit in the townis name, at command of the prouest and bailleis, to the Erll of Orknay, at his cumming to this burght, he being then purposit in England to accumpanie the quenis Majestie thither, sex quartis of wyne and aucht buistis, is 10lib. 16s.

Item, gevin to the post that brocht his Majesties proclamatioun to this burght, for tryell of the late trators and conspirators agains his Majesties persone in Ingland, 13s. 4d.

Discharge, 1603-1604.

Imprimis, to maister Archibald Blakburne, minister, for his stipend payit to him be the towne for the saids tua termes, quhilk wes payit obefoir to Mr. Peter Blakburne, bischop of Abirdene, his brother, quho now hes dimittit the same in favouris of the said Mr. Archibauld, conforme to ane act maid thairupon in the townis buikis, of the dait the xv. of Junii, 1602 zeirs, 66lib. 13s. 4d.

Item, to maister James Ross, minister, for his stipend of the forsaids tua termes, 333lib. 6s. 8d.

Item, gevin to ane post to pas to Sanct Johnstoun with letteris of the townis, direct to the clerkis of checker, for macking of this burghtis checker compt, 3lib.

Item, gevin to the same post, for bying him a pair of shone, in respect of his diligence and expeditioun usit be him in the erand forsaid, 12s.

Discharge, 1605-1606.

Item, to Alex^r Rutherfurd, prouest, commissioner chosen for this burght for keping of the parliament appoyntit to hawe bene haldin at Edinburght, the 26th of November last, quhilk parliament held not at that tyme, bot wes continewit, for that the said commissionar

red not farder nor Dundie, gawe to him for his expensiss, 26lib. 13s. 4d.

Item, to maister James Ross, minister, at command of the prouest and bailleis, for payment of his houss maill of the tua termes forsaids, conforme to ane auld ordinance of counsall, of the dait the last of November, 1603, 33lib. 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the 4th of December, 1605, debursit to James Mowatt, for macking his chargis in ryding to Edinburght to obtein letters of four formes againis the Laird of Philliorth and inhabitantis of Fraserburght, 53lib. 6s. 8d.

Item, at the same tyme, at command of the prouest, bailleis and counsall, send with the said James Mowatt, to be gevin to the townis procuratoris and thair seruands as followis, viz., to Mr. Willeame Olephant, 18lib.

Item, to the said Mr. Willeame Olephantis servand, 3lib.

Item, to Mr. Thomas Hoip, advocatt, twa crownes of the sone is 7lib. 10s.

Item, to the said Mr. Thomas servand, 3lib.

Item, to maister Johne Mackbirnie, minister, for his stipend of the Witsonday terme, 1606, 133lib. 6s. 8d.

Item, for halff chalder coillis to Mr. Archibald Blakburne, minister, careage and mettage thairoff, 9lib. 12s.

Item, for four bollis coillis to Mr. James Ross, minister, careage and mettage thairoff, 4lib. 8s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xxv of Marche, 1606, debursit to maister Johne Mortimer, quhilk the said Mr. Johne debursit in London, at command of the counsall, to Mr. Alex^{r} Hay, secretar depute, for getting ane warrand past be his Majestie concerning the mater of Fraserburght, 100lib.

Discharge, 1607–1608.

To the townis stipendiaris and pensionaris:—

Item, to maister Archibald Blakburne, minister, for his stipend payed to him be the towne for the saids tua termes, quhilk wes sumtyme payed to Mr. Peter Blakburne, bischop of Aberdene, his brother,

who hes dimittit the same in fauories of the said maister Archibald, conforme to ane act maid thairupon in the townes bookes, of the dait the xv. of Junii, 1602, 66lib. 13s. 4d

Item, to maister James Ross, minister, for his stipend of the saids tua termes, 334lib. 6s. 8d.

Item, to maister Johne Makbirnie, minister, for his stipend of the saidis tua termes, 266lib. 13s. 4d.

Item, to Gilbert Leslie, redar in the new kirk, for his stipend in serving at the said kirk the saidis tua termes, 13lib. 6s. 8d.

Item, to maister Dauid Wedderburne, maister of the grammer schooll, for his stipend the saidis tua termes, 80lib.

Item, to maister Thomas Mollisoun, commoun clerk, for his fie of the saidis tua termes, 8lib.

Item, to Patrik Dauidsoun, maister of the sang school, for his stipend of the saidis tua termes, 80lib.

Item, to the clerk, for writting of the thesauraris acquittances for the saidis tua termes, 6lib. 13s. 4d.

Item, to the bischop of Aberdene, for his fewmaill of Ardlar the saidis tua termes, 1lib. 6s. 8d.

Item, to the said bischop, for the fewmaill of Caprastoun the saidis tua termes, 3lib. 10s. 8d.

Item, to Johne Kilgour, sacristar of the cathedrall kirk of Aberdene, for the annuall addettit to him furth of the thrie westmast merchand buithis under the tolbuith of this burgh, for the saidis tua termes, 2lib.

Item, to the college of New Aberdene, for the annuall addettit to the said college furth of the tua justice mylnis, quhilk annuall wes payed of auld to the blak freris of this burght, for the tua termes forsaidis, 1lib. 6s. 8d.

Item, to the minister of the trinitie freris of Aberdene, for the annuall addettit to him furth of the pott watter, the saids tua termes, 10s.

Item, to Dauid Fergussoun, for ane annuall belonging to his landis of Kirkhill, the saidis tua termes, 1lib.

Item, to the comptar himselff, for his fie of the saidis tua termes, 20lib.

Item, to Gilbert Guthrie, Merchmont herauld, for his fie of the saidis tua termes, 20lib.

Item, to Adame Gordone and Dauid Robertsoun, for reuling and keping

of the kirk and tolbuith knokis the saidis tua termes, soum to the said Adame Gordons, 8lib. 18s.

And to Dauid Robertsoun, 8lib. 13s. 4d.

Summa particule, 921lib. 18s. 8d.

Item, immediatlie efter the electioun of the magistrattis and counsall at Michaelmes, debursit for the wyne and efter nunes drink to the new and auld magistrattis and dekynnis of craftis, in maister Dauid Rutherfuirdis houss, 18lib.

Item, to Patrik Leslie, post, for his passing to Mariecultер with a letter of the townes to the Laird of Petfoddellis, 6s.

Item, at command of the prouest and bailleis, to Johne Gairdne, messinger, to arrest Alex^r^ Gordounes fermes of Swaillend and Litill Gowill, at the townes instance, 1lib.

Item, to Alexander Scherar, post, for careing a letter to Edinburgh, to James Mowatt, concerning the townis effaris, 6s. 8d.

Item, to maister James Ross, minister, for his houss maill of the tua termes forsaid, conforme to ane ordinance of counsall, of the dait the last day of November, 1603, 33lib. 6s. 8d.

Item, in the moneth of Januar, 1608, at my being in Edinburght, gevin for rasing of ane suspensioun, at the instance of the prouest and bailleis, to suspend the chargis of captioun execute aganis thame be the Laird of Monymusk, for tacking of Johne Forbes of Logie, and sum uther gentillmen, his complices, 6lib.

Item, to Willeame Johnestoun, messinger, for using of the said suspensioun, and chairging of the pairteis be vertew thairof, 1lib. 10s.

Item, the xxvi. of Januar, at command of the prouest and bailleis, gevin to maister Willeam Barclay, for his procurator fie in the townis actioun, persewit aganis the Laird of Petfoddellis, befoir the commissar off Aberdene, 6lib.

Item, the xxii. of Februar, gevin, at command of the prouest and bailleis, for the wyne and spycerie to the Erll of Murray, at his first cumming to this burgh, as followis, to wit, for ane gallowne off wyne, at xii. s. the poynt, is 4lib. 16s.

Item, for four buistis, at ten sh. the buist, is 2lib.

Item, the xxv. of Marche, gevin to Patrik Leslie, post, to convoy twa of

the kingis gaird to the shireffis hous at Fintray, concerning the tacking of Andro Hervie, 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xiii. of Januar, 1608, debursit to Mr. Thomas Hope, aduocat, for persute of the townis actioun befoir the lordis aganis the Erll of Angous, 10lib.

Item, at command of the prouest and bailleis, gevin to James Wynrhames servand, quhen he com for this burghis pairt of the kingis great taxatioun, gevin him in drink siluer, 3lib.

Item, at command of the counsall, gevin to Mr. Thomas Leslie's wyff, at hir passing to England to visitt hir husband, 3lib. 6s. 8d.

Item, gevin, at the counsallis command, to James Mowatt, for his awayting in Edinburght upon the persute of the townes actioun aganes the Erll of Angous, and for satisfieing him of his debursementis on the said caus, 40lib.

Item, at the prouestis command, gevin to Gilbert Blak, coupar, for fyve firlottis maid be him, with irne girds, to serve the townis tolhous, 18lib. 6s. 8d.

Item, at the prouestis command, gevin to Robert Elder, messinger, drinksiluer, quhen he brought the precept of checker, with uther chargis to the towne, 1lib. 10s.

Item, gevin, at the prouest and bailleis command, to Dauid Cargill, deane of gild, for paying of ane chalder of coillis gevin to ane of the townes ministers, 16lib.

Item, for careage and mettage of the saidis coillis, 1lib 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait the xiii. of May, 1608, debursit to Thomas Mengzeis of Cultis, commissionar chosin for keping the conventioun of estates, at Edinburght, the xx. of Maij, 40lib.

Item, be vertew of ane ordinance of counsall, of the dait the xxix. Junii, gevin to Mr. Alex[r] Cullen, baillie, commissionar chosin for this burght for keping of the conventioun of burrowis at Selkirk, for macking his expensiss at the said conventioun, 80lib.

Item, mair, gevin to the said Mr. Alex[r], for this burghts pairt of v[c] merks, gevin be the burrowis to the burght of Irvyne, 30lib.

Item, debursit for the townis eque of thair checker compt, to the clerkis

of checker, thair servandis, isher, and porter of the checker hous, conforme to the particular compt thairof, writtin be the clerkis thame selffis on the bak of the eqy, 11 lib.

Item, for the wyne and suger gevin to the lordis auditouris of checker and thair clerkis, at the hering of the townis compt, debursit as followis, viz.: for sex buistis, 2 lib. 14 s.

For tua quartis Frensche wyne, at ten s. the poynt, is 2 lib.

For ane quart of Spaynes wyne, 1 lib. 6 s. 8 d.

For sex bread, 6 s.

Item, deburst, at command of the counsall, for aikin tymber, and for deallis, to stuill the townis tua mylnis within the towne, as folowis, first, for aikyn tymber, 26 lib.

Item, thairefter, for ane aikin thre, 3 lib.

Item, for careage of the said tymber, and for drink to thame that careit the same, 6 s. 8 d.

Item, for tuentie deallis, 8 lib

Item, mair, for uther tua aikin treis, 13 s. 4 d.

Item, for my horss hyre and expensiss in ganging to the wod off Drum with the tua melleris, to fie aickyn tymber, 1 lib.

Item, zit, for ane uther great ackyn trie to the saidis mylnis, 2 lib. 13 s. 4 d.

Item, debursit to the milleris of the justice mylnes, for tuelff great portage deallis, at ten s. the peice, is 6 lib.

Item, thairefter, gevin to John Kay, ane of the milleris of the justice mylnes be directioun of the visitouris that wer appoyntit to sicht thame, 2 lib.

Item, be vertew of ane ordinance of counsall, of the dait the last day of August, gevin to George Nicolsoun, commissionar chosin be this burght for keping of the generall assemblie at Lithgow, 26 lib. 13 s. 4 d.

Item, gevin to ane officer and tua warkmen, for careing of Duncan Donaldsones nett fra the pott watter to Abirdene, quhilk wes poyndit for his few deutie thairoff, 10 s.

Item, the . . . day of September, deburst for the bankett gevin in Mr. Dauid Rutherfuirdis to Charlis Chalmer, serviture to the quenis Maiestie be the prouest and bailleis, 17 lib. 19 s.

Item, deburst to Thomas Smitht, at seuerall tymes, for a great numer of

copies writtin be him to the towne, for warning of the tenentis of Petfoddellis to remowe fra the townis landis adiacent thairto, and to warne these that hes thair watteris lyand in nonentrie, 2lib.

Discharge, 1608–1609.

Item, mair, for tua hors hyeris, with my expensiss, twa severall tymes, the ane to Kintor, the wther to Inverurie, for tryal of the suspitioun of the plage of pestilence thair, 33s. 4d.

Discharge, 1610–1611.

Item, mair, to twa strangeris, the ane ane Grecian, the uther ane Caldean, remanent to this burght, be the counsall, 10lib.

Discharge, 1612–1613

Item, for twa gallownes wyne, and aucht buistis, quhilk wer presented to the Marques of Huntlie, at his cumming to this burght, at command of the prouest and bailleis, 10lib. 8s.

Item, debursit to Alex^r^ Rutherfurd, prouest, for a pairt of his expensiss in passing to Edinburght commissionar for this burght concerning the prick measures, conforme to ane ordinance of counsall, 50lib.

Item, debursit, at command of the magistratts, to ane man of Sanct Johnestoun that com to this burght, being schip brockin in the bark of Kirkcaldie that com in the sands, 3lib.

Item, debursit in Robert Hoggis, efter our cumming from the new mylne, quhen we wer direct to mak interruption to the new innovatiounne maid on the fredome be the tenentis of Auchmull, ane of the bailleis, with dyuers witnesses, being present, 3lib. 10s.

Item, debursit, at command of the counsall, to the wodmen of Drum, for nyne treis to be ane sluice to ane of the justice mylnis occupeit be Robert Perie, 27lib.

Item, debursit for halff ane stane of irne to the mille, 20s.

Item, gewin, at command of the prouest and bailleis, to James Wyn-

rames serwand, quhen he brocht the charges for payment of the kingis great taxatioun, 3lib.

Discharge, 1613–1614.

Item, at command of the prouest and bailleis, debursit to the said Mr. Dauid [Rutherfurd's] wyff, for the intertainement and wyne gewin to the Laird of Corss, 10lib.

Item, spent at ryding of sum of the townes merches, 40s.

Item, 27th Julii, quhilk wes the day of the wapinshaw, spent in the said Mr. Dauid's hous, the prouest, bailleis, and sic as wer commanders, being present, 13lib. 6s. 8d.

Item, be vertew of ane ordinance of counsall, of the dait x. August, 1614, debursit to Thomas Mar, meassone, for himselff, and in name of the remanent meassones and barrowmen that wer conduceit be the counsall for weiklie wages to big the new flesh hous and meill mercat, the sowmes following, beginnand at the first weikis payment, on Setterday, the xiii. of August, and for Setterday nixt thairefter, the 20th August, 30lib.

Item, for Setterday, the 27th August, 11lib.

Item, for Setterday, the 3rd September, thair being na meassones this weik nor the weik befoir, 17lib. 13s.

Item, for Setterday, the 10th September, 15lib.

Item, for Setterday, the 17th September, 15lib.

Item, for Setterday, the 24th September, 15lib.

Item, at command of the magistrattis, debursit to Mr. Dauid Rutherfurds wyiff, for the supper gewin to Mr. Thomas Nicolsoune, commissioner, and sic as went with him, 13th September, 15lib.

Item, for the wyne spent at the ressauing of umquhill Doctor Liddell's books, quhilk wer left be him to the new college of this burght, 3lib.

Item, zit, for the wyne and pearis spent at the heiring and subscryving of this compt, 3lib. 4s.

Discharge, 1617–1618.

Item, be wertew of ane ordinance of counsall, of the dait the 3rd Junii,

1618, debursit to Mr. William Forbes, minister, for making his expenssis to Sanct Androus at the conseeratioun of the bishop, 33lib. 6s. 8d.

Item, be wertew of ane uther ordinance of counsall, of the same dait, debursit to Mr. Andro Blakburne, for making his expensiss as commissionir for the towne at the parliament, 66lib. 13s. 4d.

Item, giwen to Mr. Peter Blakburne, air and executor to umquhill Peter, last bischop of Abirdene, his father, for ane termes few maill restand to him of the landis of Caprastoun and Ardlar, 48s. 8d.

Item, at command of the prouest and bailleis, giwen to Walter Findlasoune, pest cleanger, for his support, 3lib. 6s. 8d.

Item, to Gilbert Guthrie, Merchmount herald, for the taxatioun of Caprastoune for the bischops relieff of the first and secund termes thairoff, 5lib. 9s.

The compt of the money mortifiet be umquhill Mr. Duncan Liddell, doctor of medicine, to ane professor of mathematicques within the new college of Abirdene, sic as the same extendit to at the feast of Martimes, 1617 :—

Imprimis, restand in the handis of Robert Innes of Ballweny, Alex[r] Skeyne of that ilk, and Adame Duff of Waster Ardbreck, his cationeris, conforme to thair band, to be payit at Martimes, 1617, 1333lib. 9s.

Item, in the hands of Willeame Straquhain of Tibbertie, and Androw Gray, at the mylne of Fouerane, his cationer, 403lib. 6s. 8d.

Item, in the hands of Robert Burnet, Robert and George Cruickshankis, his cationeris, conforme to thair band, quhilk thay payit at the said terme of Martimes, 1617, 220lib.

Item, in the handis of Thomas Pattersoune and James Mathosone, conforme to thair band, quhilk thay payit to the comptar at the terme forsaid, 100lib.

Item, in the handis of Johne Forbes of Pitsligo, and Johne Forbes, at the mylne of Melgum, his cationer, quhilk wes lyikwayis payit at the said terme, 133lib. 6s. 8d.

Item, in the handis of George Straquhain, fewar of Pettmedden, conforme to ane act in the buikis, quhilk is payit be Willeame Buchin in his name, 200lib.

Item, in the handis of Johne Liddell and his cationeris, 376lib. 10s.

Item, in the handis of Johne Keythe of Carnetradlen, and Robert Keyth, his cationer, quhilk wes lyikwayis payit be thame at Martimes, 1617, 333lib. 6s. 8d.

Item, in the hands of George Ricard, thesaurer, quhilk he resauit from the baillies the yeir bygaine, at the terme foirsaid, 514lib. 13s. 4d.

Item, restand in the tounes handis, quhilk wes borrowit to pay a pairt of the chairgis in passing of the tounes new infeftment, 200lib.

Compt of the tua thousand merkis mortifeit be maister Patrik Copland to ane professor of theology within the new college of Abirdene, the profitt whairof is provydit to Mr. Willeame Forbes, doctor of divinite, sa lang as he teaches theologie in the said college :—

Item, restand in the hands of Willeame Leslie of Ryhill, and his cautionaris, to be pait at Martemes, 1618, conforme to thair band, 1000merks.

Item, restand in the townes hands, to be payit at the same terme, quhilk wes contractit the zeir bygane, 1000merks.

Maister Johne Johnstounes mortificatioun of ane thousand merks to ane poore scholer, student in divinitie, for four yeris successive, ane efter anouther :—

Item, the said soume of ane thousand merkis is restand in the hands of Johne Forbes of Petsligo, and Johne Forbes, at the mylne of Melgum, his cautionar, to be payit at Martemes, 1618, conforme to thair band, the proffitt and annual rent quhairoff is provydit to Mr. Jon Sanders, sister sone to the said umquhill Mr. Johne for the first four zeris, quhilk began at the feast of Witsonday, 1616, conforme to ane act of counsall maid thairanent, of the dait the third of Julii, 1616.

Mortificatioun to the relict and bairnes of umquhill maister Johne Mackbirnie, sumtyme ane of the ordinar ministeris of this burght :—

Item, the soume off ane thousand merks mortifeit and gevin be commoun contribution of the toune for support of the relict and bairnes of the said umquhill maister Johne Mackbirnie, wes uplifted at Martemes, 1617, furth of the hands of the persones addettit in payment thairoff, viz., from Robert Crukshank, youngar, thrie hundreth

merks; from Robert Burnett, thrie hundreth merks; from Dauid Castell, Thomas Clerk, and Gilbert Willeamson, wobsteris, tua hundreth merks; and from Patrik Bauerman of Bowmakerssie, tua hundreth merks, quhilk thousand merks wes employit on the wark of the wardhous, sa that the towne are now dettors for the same, the annual rent quhairoff is payit zeirlie to Anna Blak, relict of the umquhill Mr. Johne , be payment of a pairt of the quhilk thousand merks, Mr. Johne Mortimer, deane of gild, is appoyntit to pay to the intrant thesaurar, at Martemes nixt, 1618, ane hundreth fourtie sex punds nyne s., to be laid upon banck at the terme forsaid.

Dischargs, 1618–1619.

Item, for the wyne and desert gewin to my Lord of Blantyre, my Lord Currichill, and the gentillmen that attendit thame at the making of my Lord Blantyir burges, the 2nd October, 1618, 50lib. 3s. 8d.

Item, to ane boy that wes direct to the Cultis for my lord prouest, at my Lord Erroll his comeing to this burghe, 4s.

Item, to Paull Mengzeis, baillie, quhilk he debursit at the bischopis heid courtis, at Michaelmes, 1617 and 1618, for his compeirance as suitar for the toune at the saidis courtis, 32s.

Item, the xxv. of November, 1618, at command of the baillies sittand in judgement, debursit for ane sand glass for the rowping, 12s.

Item, for a poynt of wyne, and the pertinentis spent at the tacking saising be the toune of Johnne Fraseris hous in the greyne, quhair the myd mylne is biggit, 24s.

Item, lost be the comptar, on tuelff rois nobillis and ane halff, being for the maist pairt halff rois nobillis, resauit be him eftir Zuill, of the tounes money, at sexteine merkis the peice, from Mr. Johnne Mortymer, quhilk he restit to the toune, at the sute of his deane of gild compt, and giwen out againe for 10lib. 3s. 4d., be resoune of his Majestes proclamatioun anent douncalling of the pryces of gold, quhilk loss suld be dischargit to the comptar, is 6lib. 5s.

Item, delyuerit to Alexander Rutherfurd, of ane zeiris annuall of ane thowsand merkis restand to him be the toune for his richt of the irons weychtis, conforme to ane ordinance of counsall, viz., fra Witsondaye, 1619, to Witsonday, 1620, 66lib. 13s. 4d.

Item, be wertew of ane ordinance of counsall, of the dait 9th June, 1619, giwen to James Mackie, tenent of the new mylne in the Denburne, for bying ane mylne stane and quheill thairto, 20lib.

Item, be wertew of ane ordinance of counsall, of the dait the last of Junii, giwen be the said George Nicolsoune, quhilk wes debursit be him at the said conventioune for this burghis pairt of ane hundreth pundis sterling grantit to the burrowis in pensioun to Mr. Patrik Hamiltoune, thair agent at court, 416lib.

Item, yit, giwen to the said George, quhilk he debursit at the said conventioun for this burghis pairt of the generall clerk and agent of burrowis, thair fees, 16lib.

Item, to Sir Thomas Mengzes, prouest, quhilk he debursit in Edinburght to James Prymroiss, clerk of priwie counsall, and to his serwand, for letteris of horning to charge the nobillmen and barrones within this sheriffdome to resaiwe the new firlottis and peckis, 8lib. 3s. 4d.

Item, to Mr. Johne Mortimer, for four elnis thrie quarteris reid Inglis flanning, at 56s. ilk elne, to be ane joip and schankis to Williame Murcure, officiar, at command of the prowest and baillies, 13lib. 9s. 2d.

Item, to Andro Kellie, for sewin elnis silk ribbons thairto, at four schillingis sex d. ilk elne, is 31s. 6d.

Item, be wertew of ane ordinance of counsall, of the dait 4th August, 1619, debursit upoun halding hous to my Lord Duke of Lenox and the nobillmen that attendit him, during the tyme of his last being in this burghe, in the said moneth of August, conforme to the particular compt thairof, send and allowit be the auditors of comptis, extending in all to the soume of 425lib. 12s.

Charge, 1619-1620.

Item, be wertew of ane ordinance of counsall, of the dait the tent day of Nouember, 1619, debursit to Robert Alexander for ane barrell salmound, auld fische, send be the counsall to Sir Willeame Oliphant, his Maiestes admiral, 46lib.

Item, at command of the magistrattis and counsall, debursit for ane collatioune giwen to Mr. Andro Mylne, minister at Fetteresso, and Mr.

Abrahame Sibbald, minister at Dear, and sic as wer with thame, in Johne Tullidaffis hous, quhen thai com into this burght to the admissioun of Doctor Forbes to be principall of the college, 5lib. 6s. 8d.

Item, at command of the counsall, debursit for ane chalder and halff chalder coillis to the bischop, mettage and careage thairoff, 26lib.

Item, for ane chalder coillis to Doctor Forbes, mettage and careage thairoff, at command of the counsall, 17lib. 6s. 8d.

Item, the xvii. of Julii, debursit, at command of the magistrattis and counsall, for the banquet giwen to my Lord Reidhous, my Lord Curriehill, and sic as attendit thame, in Alex^r Rutherfurdis hous, 93lib. 6s. 8d.

Discharge, 1624–1625.

Item, the comptar aucht to be dischargeit of the soume of fourtie pundis conteinit in his charge for the maill of the townes hous occupeit be Eduard Raban, printer, becaus the said hous maill is assignit to him in pensioun during the counsallis plesor, 40lib.

Discharge, 1626–1627.

Item, be vertew of ane ordinance of counsall, of the dait the 29th Nouember, debursit to Doctor Forbes, for payment of the fraucht of the barque quhairin his wyiff, bairnes, and plinisheing wes transportit fra Leyth to Aberdein, ane hundreth merks, with fyftie merks to Thomas Forbes, his brother, for his chairges in going southe to convoyis the said Doctor Forbes hither, is, in all, 100lib.

Item, at command of the magistrattis and counsall, given to Mr. Robert Barron, for defraying of the chairges maid be him in printing of the sermon dedicat to the toune, whan he wes laureate doctor in divinitie, and to gratifie him in some mesure for his dedicatioun, 66lib. 13s. 4d.

Item, at command of the magistrattis, given to ane calsie maker that come to this toune from Brechin, for wndertaking the bigging of the tounes commoun calsies, for making his expensiss forth and hame, 6lib. 13s. 4d.

Item, given to Walter Hay, advocate in Edinburgh, quhilk he debursit to James Prymrois, clerk of privie counssll, for extracting of ane warrand of the lordis of counsall to big fortifficatiounes about the toune, and lening of some great ordinance for defence thairof, 13lib. 6s. 8d.

Dischargc, 1627-1628.

Item, to Williame Douglas, for his fee in rewling the gray frier kirk knok, nyne punds, and for rewling the tolbuithe knok, tuantie merks, is, in all, for the saids tua termes, 22lib. 6s. 8d.

Item, be vertew of ane wther ordinance of counsall, debursit to Robert Smithe the soume of ane hundreth fourtie four pundis, quhilk wes payit be him in Leyth for his fraught of sex peice of great ordinance, with tuelff careages, pulder, bullet, and wther furniture belonging thairto, transportit from London to Leyth, 144lib.

Item, to Henrie Grig, skipper, for transporting the said ordinance, and haill furniture, from Leythe to Aberdene, 140lib.

Item, in drink siluer to his marineris, 3lib.

Item, for bringing the careages from the schoir to , 24lib.

Item, be vertew of ane ordinance of counsall, of the dait xix. day of December, 1627, debursit to Thomas Colinsone, baillie, and Doctor Johnson, the commissionares direct to the noble men and barones of the shireffdome of Abirdene, for craveing thair aide and contribution to the fortifeing of the toune, for making thair expenssis, 33lib. 6s. 8d.

Item, to ane poore Inglis sojour, for schoiting tua peice of the tounes or dinance, 6s.

Item, debursit to Mr. Thomas Johnstoun, and Mr. Mathow Lumisden, commissionares direct to Elgyn to deall with my Lord of Murray, in fauors of the burghe of Inverness, for making of thair charges, 18lib. 4s.

Item, to Alex[r] Rutherfurdis wyff, for ane collatioun to [Archibald] Prymrois, clerk of his Maiesties taxatiounes, at his late being in this toune, 18lib. 8s.

Item, debursit, at command of the magistrattis, for wyne and spycerie to my Lord Marshall, at his returne to this burghe from London, 14lib. 4s.

Item, for ane collatioun to the shireff, the xiii. day of September instant, whan he had tane paynes with the magistrattis in takin ordor with the slayares of blakfishe the haill weik befoir, 16lib. 8s.

Discharge, 1628–1629.

Item, to James Smyth, quha caryet ane of the tounes drummes at the wapinshaw, in drink siluer, 18s.

Item, debursit, in Alex^r^ Rutherfurdis hous, for ane collatioun to the magistrattis and commanderis the day of the tounes wappinshaw, 12lib. 10s.

Item, debursit to Alex^r^ Rutherfurdis wyiff, be warrand of the magistrattis, for ane denner to the bishop, doctors of divinitie, and theologye, ministris, and dyverss of the counsall, at thair lait visitatiounis of the townes schullis, and for the wyne to Androw Macculloch, deane of gild of Tayne, whan he wes maid burges of this burght, 48lib.

Item, debursit to Gilbert Spankine, for makeing the tounes armes in brass, to put on the staff of the tolbuith steipill, and for brass and twn thairto, 3s. 4d.

Discharge, 1629–1630.

Item, at command of the magistrattis, for ane gallowne of Frensche wyne to the lyik walk of umquhill Alex^r^ Mackie, wricht, be resone of his mortificatioune to the tounes comoun poore, 4lib. 16s.

Item, debursit for the wyne given to Williame Dick and Walter Gray, merchandis in Edinburght, 8lib.

Item, for the wyne and spyeerie given to the Lady Countess of Mar and hir dochteris, and sindrie noble men that accompanyet thame in the tounes counsall hous, conforme to the particular extract produceit, 86lib. 6s. 8d.

Item, for the wyne and desert send be the toune to Sir James Skeyne, president, and Sir Andro Fleshour, ane of the senators of the college of justice, being commissionares for halding of justice courtis in the shireffdome of Abirdene, as the tounes courtesie at thair entrie to thair ludgeing, 15lib. 10s. 8d.

Item, for ane collatioun to the said Sir Androw Fleshour, in Gilbert Andersone's hous, 16 lib. 19 s.

Item, for the wyne and deseart spent in the tounes counsall hous, at the making of the saids commissionaris and wtheris quha attendit thame burgesses, conforme to the compts thairof, 65 lib. 2 s.

Item, debursit, 23rd October, 1629, for the wyne and deseart spent in the tounes counsall hous, at the making of the maister of Erskyn burges, be warrand of the magistrattis, 37 lib. 7 s.

Item, debursit be the comptar to ane post wha brocht ane letter frome Piterheid, shawing that the plague of pestilence wes in Orknay, 8 s.

Item, debursit for wyne and spycrie spent in the counsal hous, at the returne of my Lord Marqueis of Huntlie frome Londone, his ladye and children being present, conforme to the particular compt thairof, 77 lib. 7 s. 4 d.

Item, for wyne and spycerie spent in the tounes counsalhous at the admitting of the Laird Drum burges, conforme to the particular compt thairof, 36 lib. 15 s. 4 d.

Item, debursit be the comptar for nyne elnes and a quarter of blak carseyis, at xl s. the elne, to cover the drumheidis at the buriall of the Laird Drum, and for gryt preinis thairto, 18 lib. 16 s.

Item, for wyne and spycrie spent in the tounes counsalhous at the making of the Laird Dwn burges, 15 s 4 d.

Item, be warrand of counsall of the dait 16th Junii, 1630, debursit to Mr. Danid Wedderburne, maister of the grammer skuill, for his chalmer maill, 6 lib. 13 s. 4 d.

Item, to ane boy, for using summonds, at the tounes instance, agains the Erles of Erroll and Mershall, and Lairdis of Leyis and Urie, at command of the magistrattis, 54 s.

Item, be vertew of ane warrand of counsall, of the dait the xiii. day of Julii, debursit to Mr. Danid Wedderburne, maister of the grammer schole, for making his charges to Edinbrugh, being summondit anent Mr. Alex^r Hume's grammer, 40 lib.

Item, for the wyne given to Mr. Richard Maitland, servitor to my Lord of Ladderdaill, whan he and his brother wer admittit burgesses, 7 lib.

Item, to Andro Meluill, doctor of the musick schole, be vertew of ane

ordinance of counsall, of the dait xv. September instant, in suppliment of his stipend, 10lib. 13s. 4d.

Item, for ane barrell of salmond to Sir Johne Scot, for his consultation and freyndlie advyse in the tounes effairis at the late conventioun of estates, 43lib.

Discharge, 1630-1631.

Item, to James Willox, wright, be ane ordinance of counsell, for aucht weikis work wrocht on the steple of the tolbuith, 26lib. 13s.

Item, spendit in Doctour Forbes houss upoun the sext of December, 1630, at ane consultatioun with the ministrie of this burgh anent the electioun of ane minister, for wyne and succar, 3lib. 5s. 4d.

Item, for wyne and deseart send to the Earle of Murray ye threttein day of December, 1630 yeiris, 12lib. 4s.

Item, for wyne and suggar to my Lord Hay the 12th of Januar, 1631 yeiris, 12lib. 4s.

Item, to Jhone Barnard, for careing ane lettre to Mr. William Guild to Kinedward, 30s.

Item, spendit in Gilbert Andersones upoun wyne and suggar, at Mr. W^m^ Guild his entres to the toune in companie of the magistrattis, 5lib. 16s.

Item, be ordinance of counsell, of the dait the penult of Merche, 1631, delyuerit to Mr Dauid Wedderburne, maister of the grammer scool, in help of his expenssis, be reasone of his long stay in Edinbrugh upon the approbatioun of his new graimer, 66lib. 13s. 4d.

Item, spendit the sext of Maii, 1631, for wyne and suggar to my Lord Doun and my Ladie Home, in Gilbert Andersones, 23lib 12s.

Item, spendit in Gilbert Andersouns, at the hame cumming of Mr. Dauid Wedderburne, 29s.

Item, spendit in Gilbert Andersones the 20th of Maii, at the cumming to the toun of the Earle of Perth, upoun wyne and suggar, 11lib. 4s.

Discharge, 1631–1632.

Item, be vertew of ane ordinance of counsall, of the dait the aucht day of Februar, 1632, debursit to Mr Dauid Wedderburne, maister of the grammer schoole, for making of his chairges to Edinbrugh, to procure the lordis of secret counsall thair approbatioun to the new grammer laitlie set furth be him, 100lib.

Item, be warrand, and at command of the counsall, debursit to Franciss Vanhagat, buikbinder, for the binding of sexteine manuscriptis in folio, and ane in quarto, belonging to the colledge librarie, conforme to his compt produceit, 24lib. 15s.

Item, for a boyis chairges to Frosterhill and Shethokisley, and for the hyir of tua horss to George Johnstoun and Patrik Leslie, that day they did visite the bounds of Grandoun, at the counsallis desyre, 24s.

Item, for the collatioune given to thame at thair hamcoming, eftir they hed perambulat and sichtit the bounds, 3lib. 12s.

Item, given of drinksiluer to Mr. Walter Douglas, ane of the meassris of secret counsall, at command of the magistrattis, 14lib. 10s.

Item, for a trunk coverit with selches skyn, coft at London to the townes use, 16lib. 10s.

Item, for a trunk saidle with the furniture thairto, 22lib. 12s. 6d.

Item, for a quair great paper and a skyn of parchemont, to mak a book or catalogue for the colledge librarie, 47s. 6d.

Item, be vertew of ane ordinance of counsall, debursit to Franciss Vanhagat, buikbinder, ten punds ten s. for binding of sewin buiks in folio belonging to the colledge librarie, at threttie shillingis ilk book, 10lib. 10s.

Item, be vertew of ane wther ordinance, debursit to the said Franciss, in recompence of his great paynes in binding of the buiks of the kirk and colledge libraries (attour his ordinar allowance), 6lib. 13s. 4d.

Discharge, 1632–1633.

Item, debursit be the comptar to Doctor Forbes and Doctor Barrone, tua hundreth merkis money, to help to defray thair chairges to Edin-

burght, being writtin for be the archibishop to teache befoir the Kingis Majestie, conforme to a warrand of counsallis, 133lib. 6s. 8d.

Item, debursit for sevin rym of paper, coft be Eduard Raban from Robert Cruiksbank, for printing of Doctor Barrones buik dedicat to the town, at command of the counsall, 21lib.

Discharge, 1633–1634.

Item, to a boy, for careing letteris to the gentillmen in the Mearnes, to crave help of thair horss to the wark of the calsies, 14s.

Item, to the clerk of secret counsall, for ane warrand to big ane port wpoun the calsies of Month Cowye, 20lib. 6s.

Item, to his sone, twa dolors, and to his servand, in drinksiluer, ane dolor, is 8lib. 14s.

Item, to Patrik Davidsone, maister of the musick schuill, be resone of his old decrepit aige, 20lib.

Discharge, 1636–1637.

Item, gewin to ane post, for passing to Newburgh and Fiterheid with lettres from the toun, for gewin thame aduertesment of the infectioun of the plague, 40s.

Item, giwen out to the Inglishmen employed in the mater concerning the correction houss, upon the fyft of October last, 27lib.

Item, gewin out in the bishopes court in October last, 12s.

Item, gewin out, on the 7th of October, for ane mutchkin of oyll to the pheises, 13s. 4d.

Item, gewin to the said Inglishmen, on the 3rd October, 5lib. 8s.

Item, gewin out, on the 15th of October, for the wyn, suggar, and peares to the commissar of Edinburght, his brother and company, 18lib. 3s. 8d.

Item, 19th October, gewin to Robert Meisser, for getting a not of the names of the nichtbors of the toun who wer charget be Dauid Sym for peckes to the boll, 5lib. 8s.

Item, 29th November, gewin to certan nichtbors of the toun who convoyed

Malcome Stalker, a brocken Heichlandman, to Steinhyve, for making of thair expensiss, 3lib. 12s.

Item, gewin to the fisheris of Futtie, for going to the raid to ane Dundie ship suspect of the plague, 12s.

Item, gewin to the men that convoyed John Brabner, a broken Heichlandman, to Steinhyve, 1st March, 16s.

Item, spent in Elspet Cullanes, the day of the ryding of the tounes land merches, 11lib. 16s.

Discharge, 1637–1638.

Item, deburst to Mr. Mathew Lumisden, commissioner to Edinbrugh anent the licht horsemen, and mater of armes persewit be the Lord Lyon aganes the town, for making his charges, 108lib.

Item, to George Ramsay, post, for drinksiluer, for bringing to the toun the generall missive of burrowes, 1lib. 7s.

Item, depurst to Mr. John Lundie, commoun procuratour of the Kinges college, in grassum, at the subscryveing of the tounes tack of the teynds duetie of Caprastoun for the cropt 1637, 5lib. 6s. 8d.

And, in grassum, for ane new tack of the teynd of the saidis landis of Caprastoun, 13lib. 6s. 8d.

Item, for wyne, at the peyment of the saidis sowmes, and subscryveing of the tounes tackes, 2lib. 5s.

Item, the comptar aucht to be discharget of the soume of fourtie pundis money, quhairwith he charget himselff abefoir, for the maill and duetie of Eduard Raban, printer, his foirland, occupeit be him for the termes of Martimes, 1637, and Witsonday, 1638, 40lib.

Item, to Gilbert Guthrie, chirurgian, for cureing the keipar of the calsie port, 10lib.

Discharge, 1638–1639.

Item, debursit be the comptar to Mr. Robert Farquhar, at command of the councell, quhilk he advanced for the tounes signator, quhairof the clerk hes the compt, 1108lib. 8s. 4d.

Item, for the tounes sasing wyn, gewin at thair infeftment of thair privileges, 58lib. 3s. 4d.

Item. paid to Alex^r Aickenheid, agent for the burrowes, for this burghes dues the last yeir, payabill in Julii, 1638, 400lib.

Item. payet to Alex^r Jadfray, on a bill of excheing drawin on the town be Mr. Robert Paitrie, anent Thomas Watsone and Balmuires bracking of ward, 108lib. 2s. 8d.

Item. debursit, be direction of the magistrates, wpon the twelff of Apryll last, to the Laird of Larcis and his Argyll men, 333lib. 6s. 8d.

Item, four lead and ane burding of peatts to thame, 10s. 2d.

Item, for four leads of stray to thame, 12s.

Item. deburist to Capitan Macgill, to pay for quartering of sojers, 124lib.

Item, to Capitan Hay, for quartering, 95lib. 17s. 4d.

Item. to Harie Lindsay, to pey for his horss, 9lib.

Item. to Capitane Campbell, 20lib.

Item. to a post, to go to Muchell and the Auld town, 15s.

Item, to Mr. Thomas Messer, for his charges to Dundie, being direct thair be the magistrates, 16lib. 8s.

Item, to John Tullidaff, be warrand of counsell, in pairt of peyment of his quartering, 27lib.

Item. to Alex^r Rutherfuird for quartering, 8lib. 2s.

To thrie postes send north be the magistrates to spy what strangers wer comeing, 54s.

Item, be direction and warrand of the magistrates, 16lib. 4s.

Item. be direction of the prouest, to ane man wha socht out horss for drawing of the ordinance, 6s.

Item, gewin to the Erles Marsheall and Montrose thair sojours, at command of the magistrates, and adwyse of the whole town, to saiff the toun from ploundering at that tyme, 6666lib. 13s. 4d.

Item. debursit wpon warrand of the magistrates, to my Lord of Oboynes soiours, for quartering, 250lib. 8s.

Item, deburst on ane warrand of the magistrates, for horss hyir to my Lord Oboynes camp, 8lib. 8s.

21st Junii, deburst to the Erle Marsheall and Montrose soiours, at command of the baillies, with advyse of the haill toun, for saveing the town from plundering at the intacking of the brig of Dee, 4000lib.

Item, bestowed upon wyn with Crowner Bolfok, 3lib. 16s. 8d.

Item, deburst be the comptar to a post, who brocht lettres fra his Majestie anent the pace, 27s.

Item, deburst to John Leslie, baillie, for bread and beir to the sojours, conforme to his compt allowed be the counsell, 392lib. 7s.

Item, deburst to Robert Cruikshank, younger, for breid and beir to the sojours, conforme to his compt allowed be the counsell, 437lib. 9s. 4d.

Item, to James Straquhin, for careying match to the bridge of Dee to our townsmen, wpon a warrand, 6s.

Item, to Andro Inglish, drummer, for his service on a warrand, 27s.

Item, deburst upon a warrand of the magistrates, for quartering the Gordones, 22lib. 13s.

Item, deburst upon a warrand to Ardlogie, to pay his horss charges, 20lib.

Item, to John Gordon, for dailles and trees to be sconses, and for making a timber mell be direction of the councell, conforme to his compt, 67lib. 4s.

Item, deburst be the comptar wpon the 28th of Junii, be direction of the magistrates, to Mr. Thomas Gray and Mr. Patrik Chalmer, commissioners send to his Majestie towards Bervick, 299lib 5s. 8d.

Item, to John Tulliedaff, upon a warrand for the rest of his quartering, 37lib. 6s. 8d.

Item, to John Monro, be warrand of the magistrates, in pairt of peyment of his quartering of soiours, 40lib.

Item, to Catherin Ronaldson, wpon a warrand, in pairt of peyment of hir quartering, 20lib.

Item, deburst to Alex^{r} Gray, wpon a warrand, in pairt of peyment of hir quartering, 40lib.

Item, to Patrik Moorson, wpon a warrand, in pairt of peyment of his quartering, 13lib. 10s.

Item, deburst to Robert Paull, wpon a warrand, for peyment of his quartering of soiours, 13lib. 6s. 8d.

Item, deburst, be direction of the magistrates, to a post, for careing a lettre to the Erle of Marsheall, 12s.

Item, to a post, for bringing lettres to the toun from the Erle of Montrose, 12s.

Item, to a post send to the Erle of Findlater with lettres, wpon a warrand, 27s.

Item, deburst to Robert Gray for ten hinging lockes deliuert to W^m^ Scot for the cannones, 4 lib.

Item, deburst be the comptar to Alex^r^ Willeamson, baxter, for eat breid furnest be him to the armies, conforme to his compt, subscryved be the deane of gild, 121 lib. 1 s. 8 d.

Item, deburst be the comptar to Thomas Gray, quhilk he gave capitan Fodringham on a warrand, 8 lib. 0 s. 4 d.

Item, deburst to William Scot for ane hundreth fourscore sextein gallones beir, conforme to the deane of gild his warrand per act of counsell, 65 lib. 6 s. 8 d.

Item, deburst to John Scot for bere gottin from Charles Keillo, extending to thrie scoir nyn tun and a half thrie gallones and fyve pyntes, at fyve punds the barrell, 449 lib. 6 s. 8 d.

Item, deburst to Andro Birnie for Ardlogie and wther Gordones horss, 14 lib. 11 s. 8 d.

Item, to John Middletoun, baxter, for breid to the soiours, conforme to the dean of gild his warrand, 66 lib. 5 s. 4 d.

Item, to Robert Forbes, baxter, for breid, 116 lib. 15 s. 4 d.

Item, to John Crightoun, baxter, for breid, 52 lib. 12 s.

Item, to Andro Kellie, youngar, for breid, 89 lib. 3 s. 8 d.

Item, to Eduard Walker, for breid, 76 lib. 8 s.

Item, to Patrik Annand, baxter, for breid, 134 lib. 4 s.

Item, to Andro Wood, baxter, for breid, 48 lib. 7 s. 8 d.

Item, to John Dempster, fleshar, for thrie carcages of bieff coft be baillie Hay and the deane of gild, for the use of the soiours, 40 lib.

Item, payeit to Thomas Paip, deburst be him at command of the magistrates, for a brakfest to Abergeldie, capitan James Gordon, and wther soiours, 54 s.

Item, payed to Dauid Nicolson for going aboord with his bot on the Kinges ship, upon baillie Mortimers warrand, 36 s.

Item, to Alex^r^ Jameson, for horss hyir to my Lord Oboynes cannones, 40 s.

Item, to Alex^r^ Chalmer, for furneshing materialles to my Lord Oboynes cannones, upon the prouests warrand, 8 lib. 2 s.

Item, to Alex^r^ Rutherfurd, deburst be him on my Lord Oboynes soiours, 10 lib. 15 s.

Item, to John Calder, wpon a warrand, 40s.

Item, to John Johnston, John Howat, John Turnor, for horss hyir, on a warrand, 4lib.

Item, to Thomas Sted, Alexander Adam, James Kennedie, John Johnston, and John Turnor, for horss hyr to my Lord Oboynes cannon, on a warrand, 5lib.

Item, to Robert Forbes, for breid, on baillie Leslies warrand, 59s. 4d.

Item, deburst to Patrik Farquhar, for threttie stein weicht of yron, with threttein punds weicht and a half, at threttie-sex shillings the stein, be direction of the counsell, to be pickes to the tounes use. 55lib. 13s.

Item, to Andro Birnye, deburst be him, at command of the magistrates, to Catharin Bruce and Willeam Tailzeor, for Auchindore, him selff, his boyes, and horss quartering, conforme to Andro Birnie's compt, 25lib. 6s. 8d.

Item, deburst to James Cruikshank, quhilk he deburst to my Lord Oboynes company, wpon Baillie Leslie's warrands, viz.: to Balvenye, ten punds; to James Hamiltoun, cannonier, four punds ane sh.; to Cocklarachie, sewin punds tua sh.; Willeam Moir, in Caskieben, 26sh.; to Innermarkie, sewin punds sextein sh.; to Capitan Car and his livetenent, sex punds; to Capitan Elleis, sex pund; to Thomas Gordon, sex punds; is, in all, 54lib. 6s. 6d.

Item, to Anna Forbes, spous to Thomas Wrquhart, in pairt of payment of hir quartering, wpon a warrand, 27lib.

Item, deburst be the comptar, for payment of this burghis pairt of the dewis payable at the late conventioun of burrowis, haldine at Dumfermline, in Julii last, 446lib. 6s. 8d.

Item, deburst to Mr. Alexander Jaffray, prouest, for making of his expensiss at the parliament, and expeding of some of the tounes effairis therat, to ane compt, 406lib. 6s. 4d.

Item, deburst be the comptar to Mr. Thomas Gray, Mr. Matho Lummisden, George Moreson, baillies, and these wha past with thame to Stratherne, at tua seuerall tymes, for apprehending of Alexander Keithe of Balmwire, conforme to thair particular compt, produceit befoir the magistrattis, 439lib. 5s.

Item, to Mr. George Robertsone and Walter Guthrie, for thair paynes in the tounes service this yeir, 13lib. 10s.

Discharge, 1640–1641.

Imprimis, deburst be the comptar, at Michaelmes last, 1640, the tyme of the election of the magistrates and counsell, for wyn and peares, etc., 23lib. 1s.

Item, deburst for thrie faddomes of towes, whan Harthill wes tein doun out of ward perforce, 5s.

Item, to ane post for going to Dunoter, at the baillies direction, 18s.

Item, to Andro Smith, for ane flott and tuo stepilles to the ealsey port, 13s. 2d.

Item, spent in Alex^r^ Ramsayes houss be the bailzies, with the shireff, in taking his advyse in the tounes effaires, 48s.

To Thomas Con, post, for passing south with lettres, at the magistrates direction, 53s. 4d.

To the prouest, whan he wes chosen commissionar to the parliament, 133lib. 6s. 8d.

To ane boy for going to the brig of Dee, 2s.

To Thomas Con, for passing to Dunoter, 12s.

Item, be direction of the counsell, deburst to the keipar of the ealsey port, to help to repair his hous, 40s.

Item, deburst to Mr. Matthew Lummisdan, quhen he went commissioner to Newcastell, 66lib. 13s. 4d.

Item, spent in Alex^r^ Ramsayes, befoir the said Mr. Mathew tuik jurnay, 6lib.

Item, deburst at the magistrates direction, to defray some nichtbors expensses who convoyet capitan Kaird to Steinhyve, 5lib. 7s. 4d.

To Mr. Mathew Lummisdan at his returne from New Castell, quherin he wes superexpendit, 16lib.

Item, to fyve horss hyrares, for thair hyr to Steinhyve with capitan Kaird, at the prouest his direction, 3lib.

To ane boy, who brocht a lettre fra Mr. Andro Cant, 6s.

Item, for ane wnce of reid wax to the clerk, 4s.

To ane post, for going to Dunoter, 12s.

Item, deburst to a post, quha come from the committee and burrowes, 19s.

Item, for tua drap wecht slek to help the mortclothes, 3s. 8d.

To Mr. W^m^ Moir, when he went commissioner south to the committee, 66lib. 13s. 4d.

For dressing the trunk sadill to the parliament, 26s. 8d.

Item, be direction of the councell, deburst to Mr. Andro Cant, whan he went to the generall assemblie, 66lib. 13s. 4d.

Item, to Mr. Robert Paitrie, at the magistrattis directioun, for his debursementes in the tounes effaires, 49lib. 19s. 2d.

To a man, quha wyted on Mr. Andro Cants guds at the shoer, 13s. 4d.

Deburst for making a key to Archibald Baxteres booth door, 12s.

Item, payet to John Wobster, at the baillies direction, for tna bolls colles, and careing thairof to my Lord Synclares ludgeing, 3lib. 12s.

Item, the comptar aucht to be discharget of the soume of sex punds four shillings of new turnors, receavet be him from Thomas Buck, late thesaurar the yer preceding, becaus the same ar not current moneyis, 6lib. 4s.

Item, the comptar aucht to be discharget of the sowme of fourtie punds, whair with he chairgit him selff abefoir, for the maill and duetie of Eduard Raban, printar, his foirland, occupeit be him the termes of Martimes, 1640, and Witsonday, 1641, becaus the same is assignet to him be the toun for his service, 40lib.

Discharge, 1641–1642.

Item, to Mr. John Row be warrand of councell, quhen he come first to Aberdein, and wes wpon his tryelles for making his chairges furth and home, 66lib. 13s. 4d.

Item, to the said Mr. John, for his transplantation from St. Johnstoun to Aberdeen, 333lib. 6s. 8d.

Item, be warrand of councell, for the superplus of his hous maill, fra Martimes, 1641, to Witsoundey, 1642, 11lib. 13s. 4d.

Item, spent in Mr. John Osualdes hous, quhan the prouest and baillies went to salute him, 4lib. 18s. 4d.

Item, to the laird of Clunyes man, for careing lettres south to baillie Lummisdan, 6s.

Item, spent in Isabell Cullens, relict of Robert Ramsay, for wyn, desert,

tobaco, and other chairges, quhen my Lord Synclar and his regiment wer removeing from Aberdeen, 17 lib. 18 s.

Item. deburst to Mr. Thomas Lillie, for extracting his decreits out of the commissers books agains the Lord Fraser and Petfoddells for ane annuell, payabill be thame out of thair lands of Eshintelie and Findon, 20 s.

Item, at command of the magistrates, gewin to Robert Irving, officer, for executeing the first summonds aganes the tenents of the Lord Fraser and Petfoddells, 53 s. 4 d.

Item, to Thomas Con, post, for going to Karnebulg, and executeing the said summonds aganes the Lord Fraser, 30 s.

Item, to Alex[r] Brabner, for wreiting copies to summond the members of the Kinges College, anent the patronage of Sanct Nicolas, 8 s.

Item, be warrand of the magistrates, deburst to John Innes, messinger, for executing the summonds anent the patronage of St. Nicolas, aganes the members of the Kinges College of Auld Aberdene, 26 s. 8 d.

Item, spent in Normon Arbuthnetes, with the laird of Leslie, the prouest and bailies being thair dealing with him anent the tounes effaires, 3 lib. 12 s.

Item, be warrand of councell, depurst to Mr. Mathew Lumisdan, wha past to Rothiemay to speik the lady concerning the tounes effaires, 5 lib. 13 s. 4 d.

Item, be warrand of councell, deburst to James Farquhar, deburst be him to messingers in Ross, for executing the townes summonds aganes the wassals of the bishoprik of Ross, 13 lib. 6 s. 8 d.

Item, deburst for thrie horss, and other chairges, to Mr. W[m] Moir, Alex[r] Black, and thesaurar, being directit be the councell to visite a peice land within the fredome, quhilk wes to be set in few to John Irving, 57 s. 8 d.

Item, deburst to Normond Arbuthnettes wyff, for Mr John Row his interteanement threttie sevin dayes, at 24 sh. ilk dey, 44 lib. 8 s.

Item, be warrand of the councell, for ane brakfast to the ministers of the presbyterie, Mr. Willeame Moir and Alex[r] Jaffray being ordanit to give thame the same, 8 lib.

Item, deburst for a denner to the presbyterie, at Mr. John Row his admission, 40 lib.

Item, for a brakfast to the prouest and baelies, at Prouest Leslcis home comeing, 7 lib.

Item, deburst for a denner to the Erle Marsheall, 90 lib.

Item, deburst for a denner, at Mr John Osuald's admission, 50 lib.

Item, deburst in Elspet Cullanes hous for a dusson buistes, wyn, breid, and tobaco, giwen to the Lady Rothiemay, 10 lib. 1 s.

Item, payet to James Smith, quhilk wes restand to him be the toun, for the pickes and muskates bocht from the Marques of Huntlie, 3685 lib.

Item, be warrand of councell, deburst to W^m^ Murcur, officer, for his paines takin in warning and chargeing the nichtbors for muskates and picks, 10 lib.

Item, be warrand of counsell, deburst to John Gordon, taksman of the wyhous, be reasson of the losses sustenit be him dureing the tyme of the late trubles, 53 lib. 6 s. 8 d.

Item, payet to Elspet Cullen, for the difference of Mr Andro Cant's hous maill, 6 lib. 13 s. 4 d.

Item, be warrand of councell, payet to George Meingzeis, maister of kirk work, for repairing the edifice of the college, 266 lib. 13 s. 4 d.

Item, to ane post, for careing lettres to Mr Robert Petrie anent Harthill, 12 s.

Rentall of the Tempill landis in Aberdene, quhilkis now ar hauldin in frie burgage:—

The tenement belonging to Mr. Robert Farquhar, lyand at the Overkirk gett port payes zeirlie, 3 s. 4 d.

The tenement belonging to Johne Nun and Johne Calder, in the Schoolhill, payes onlie ane pennie blansche.

The tenement of W^m^ Nicolson, outwitht the Justice port, on the north syd of the gett, tua s.

The tenement in the Schipraw, outwith the Trinitie port, belonging to Patrik Findlay and Mr. Alex^r^ Robertson, minister at Cluny, 6 s. 8 d.

The tenement now belonging to Alex^r^ Kempt, meason, lyand in the Grene, tua s.

The tenement of George Stewart, in the Netherkirkgett, payes tuentie ane pennies.

The inland and yard of Andro Meldrum, litster, lyand in the Natherkirkgett, tuentie pennies.

The tenement of Robert Paterson, wobster, in the Natherkirkgett, 3s. 4d.

The foirland of Marion Moir, outwith the Natherkirkgett port, payes zeirlie 3s. 4d.

Summa of the zeirlie deutie of the Tempill landis, 1lib. 3s. 1d.

Discharge, 1642–1643.

Item to W^m^ Narne of Langsyd, for his paines in collecting the hundreth punds sterling, grantit be his Majestie to this burght, out of the rents of the bishoprik of Ross, 66lib. 13s. 4d.

Item, to W^m^ Forbes of Skellater, for his paines takin upon the slayers of black fish, 106lib. 13s. 4d.

Item, for ane brakfast in Mr Alex^r^ Reid his hous, quhen the said W^m^ was payit, 4lib. 6s. 8d.

Item, to Gordon of Braeklay, for his paines takin upon ye slayers of blak fish, 26lib. 13s. 4d.

Item, to Alex^r^ Jaffray, baillie, at his going to Edinbrugh, concerning ye ryot done to him be the Laird of Haddo, 200lib.

Item, to Alex^r^ Jaffray, baillie, at his returne from Edinbrugh, for his chairges, deburst be him ther anent the ryot done to him be the Laird of Haddo, by and attour tuo hundreth punds when he went south to Edinbrugh 24th Julii, 133lib. 6s. 8d.

The compt of the moneyes reecauit for the pryces of the muskats and picks:—

Item, from W^m^ Wilsone, sklaitter, for ane furnisht muskat, 18lib. 2s.

From Patrik Fergnson, elder, for ane muskat, bandileir, and reast, 15lib.

From John Nune, for ane pick, 3lib.

From Robert Alex^r^, wreiter, for ane furneist muskat, 18lib. 2s.

From Robert Niccoll, for ane pick, 3lib.

From John Steinson, for ane pick, 3lib.

Frome Patrik Smith, for ane pick, 3lib. etc.

Summa of the haill muskettis reecavit be the said Thomas Burnet, thesaurer, extends to 1144lib. 9s. 8d.

Discharge, 1643–1644.

Item, for James Farquhar and my charges for goeing to the Marques of Huntlie and Earll Marshall, 9lib. 6s. 8d.

Item, for thrie horss hyr to George Moresone, Patrik Moir, and myself, to meet the Marques of Huntlie quhen he com to Abirdene, 5lib. 6s. 8d.

Item, debursit, be warrand of the counsell and toune, for quarters to the Marques of Huntlies soiours, according to the particular compt therof, 1378lib. 14s. 8d.

Item, to Alex^r George, smyth, for mending the counsell hous lock and lettron, and sex great steppells to the cat bands, 1lib. 16s.

Item, to the post that vent to Dunnotter to advertisse the Earle Marschall of the Marques of Huntlie departing from this, 13s. 4d.

Item, to Alex^r William, baxter, for 344 loavs to Elchos regment that keiped the vatch that nicht they cam to this toone, 19lib. 9s. 4d.

Item, to John Malleis and Patrik Ross, for ten gallons and ane half of aill to the said soiors that night, 7lib.

Item, to the post that vent to the Marquess of Argyll witht Cap^t Jackson letter, 13s. 4d.

Item, to the maisters of the bagage hors that vent to Drum, 1lib. 6s. 8d.

Item, 12 shilling sterling to tuell musketiers that vent to Kelle with pounder, ball, and mach, at B. Cruikshank ordor, 7lib. 4s.

Item, for 3 faddom tow to Robert Nicoll to bind the cariege, 6s.

Item, for mending the lock of John Scott seller for keiping the amunitione, 3s.

Item, to Patrik Chamer, lieutenante to the hors troup, that cam as convoy with Hado and Gicht, for interteining his troup and ryders this warr, giwen on the Kingorne subscryvit varrand, and at the B , 26lib. 13s. 4d.

Item, to Alex^r Jaffray, to be his charges to the generall assemblie, 66lib. 13s. 4d.

Mor to him at his returne, in respect he was superspendit, 19lib. 15s. 4d.

Item, to Dauid Mill, post, that went to Alex^r Jaffray with his commission, 2lib. 13s. 4d.

Item, to the prouest whan he went to the parlement, 400lib.

Item, to Dauid Mill, post, for careing ane letter to the prouest, 12s.

Item, spent in David Sinclars hous, 11lib. 0s 4d.

Item, spent in Alex^r Ramsays with the commisser, John Denheme, at our compting with him, 12lib.

Item, to Mr. Androw Cant for his charges to Edinbrugh, 66lib. 13s. 4d.

Item, to the drummer that was sent from Montrois to summond our tonne to rander, 6lib. 13s. 4d.

Discharge, 1644–1645.

Item, to George Wilsone, post, to go to the Marques of Argyle witht lettres to Spey, whair his lordschip was for the tyme, 1lib. 10s.

Item, sent to the Marques of Argyle, than at Fyvie, for wyne and bread, as the warrand beares, 88lib. 1s. 4d.

Item, to James Robertsone and Alex^r Black, for two horse hyres, to visite the marches, 1lib. 10s.

Item, to Mr. William Moir, lait bailzie, commissionar appoyntit be the counsall to go south for the professor quhilk sould haue come to our tonnes colledge, to mak his charges, 50lib. 13s 4d.

Item, to Johne Gillespie his mariners, for watching the English catche that came from Newcastell, being suspect of the plague, 1lib 4s.

Item, advanced to the Lowthian regiment, at the bailzies command, 1333lib. 6s. 8d.

Item, to Capitane Wallace of the chancellaris regiment, for ane hundreth men that was on the watche that night, euerie man thrie shillings, commandit be baillie Mortimer and baillie Jaffray, 15lib.

Item, the said night, to Lievtenant Douglas, of the Lowthian regiment, for two hundreth men, at thrie shillings the man, is 30lib.

Item, for ten nights' candle to their courtis of guard, being four pund weight of candle nightlie, 9lib

Item, to George Wilsone, to go to Bucky, to Generall Major Hurrie, witht letters, 1lib. 6s. 8d.

Item, to Thomas Nicoll, to go to the brig witht letters to the said generall major, 1lib. 16s.

Item, to Robert Smith, post, to go witht letters to Generall Major Hurrie, than at Buckie, 2lib. 8s.

Item, to Andro Fowlar, post, to go with letters to Buckie, 2lib. 14s. 8d.

Item, to Thomas Lindsay, for tua bollis and ane half corne to my Lord Aboyns horss, 14lib. 3s. 4d.

Item, spent in Dauid Sinclair his hous, with Sir James Melvill, the bailzies being present, at the making of him burges, as the particular compt beiris, 13lib. 15s. 8d.

Item, to Williame Nicolsone, post, to go with letters to Cragivar, 18s.

Item, to Godisman, post, to go with letters to Mr. Robert Petrie, 6s.

Item, spent in Dauid Sinclairis, with Thomas Fyiff, generall quarter maister to Crawfurd Lindsayes armie, with the provest and bailzies, 2lib. 3s. 4d.

Item, to Provest Leslie's wyiff, quhilk Bailie Mortimer borrowed from hir to give a poast, 12s.

Item, to James Crowne, quhilk he advanced to Johne Shippert for carying of letters to Lievtennant Generall Bailie, 6s.

Item, to Patrik Young, for tuo horse hyre to Provest Farquhar and his man to the milnes of Drwm, to Crawfurd and Bailzie, 2lib.

Item, to Andro Gray, post, to go with letters to the Erll of Crawfurd, 2lib. 8s.

Item, to Eduard Raban, for printing the theases to the new colledge of Aberdein, 10lib.

Item, to Johne Andersones wyff in Torrie, for intertaineing souldiours to hold aff the men that came in the Inglish catche, quhilk cam from Newcastell, suspect of the plague, 5lib. 8s.

Item, to Thomas Dauidsone, maister of the musick scoole, for setting wp his loiss he susteines for discharging of lyk wakis, 53lib. 6s. 8d.

Item, according to the bailzies ordour, send to Alex[r] Grahame of Cairney, generall quarter maister to Montroiss armie, thrie ellis Spanish tafetie, at seavin punds the ell, is 21lib.

Item, at the bailzies command, to Mr. Andro Guthrie, ane Frenche blak hatt, 6lib. 13s. 4d.

Item, to the said Mr. Andro, sexteine dusson pear knap silk buttons, at fyve shillings the dusson, is 4lib.

Item, to him, ane deami beaver, 12lib.

Item, to him, threttie aucht ellis of blak ribbons, at 6s the ell, is 11s. 8d.

Item, to him, sex drop blak silk, 12s.

Item, two pair wovin whyt shankis to him, at threttie shillings ye pair, 3lib.

Item, to him, ane pair spurris, 18s.

Item, to Patrick Horrie, for furnishing and making of his cloathes, according to his compt, 10lib. 7s.

Item, to ane poast, to go to Liklihead, according to warrand, and bringing ane ansuer, 12s.

Item, ye comptar oght to be dischargit of the soume of fourtie punds, for Eduard Raban's house maill quhilk he occupyes, 40lib.

Item, to Robert Smith, for tuo rim of paper for Montroiss use, 7lib. 6s. 8d.

Item, to Johnne Galloway, yonger, for tuo rim to him, 7lib. 6s. 8d.

Item, send to Montroiss campe, aucht pyntis and ane choppein of Spanish wyne, at tuentie four shillings the pynt, is 10lib. 4s.

Item, send to him, four pyntis and ane choppein acquauitie, at threttiie shillings the pynt, is 6lib. 15s.

Item, for the courtasie givin in the counsallhous to my Lord Aboyne, for wyne, confectiones, and vther pertinentis, as the particular compt beares, 64lib. 6s.

Item, delyvered to the Futtie men, for transportings of the Lowthian regiment, thair baggage and ammunition, to the raid. 5lib. 6s. 8d.

Item, to Adame Gordone, for buying oates to Capt. Mortimer's troupe, 5lib. 10s. 8d.

Item, for the burdens of strae, 7s.

Item, to Alex[r] Williamsone, for all, fourtie shillings, and in pairt of payment of his bread, vther fourtie shillings, is, in all, 4lib.

Item, to Gilbert Andersone, to give for aittis to give to Captane Drummounds troup, 2lib. 13s. 4d.

Mair, for a post to go to our ministers, 1lib. 6s. 8d.

Item, to tuo postis for going to Kintor at tuo seuerall tymes, 16s.

Item, to the generall quarter maister, for quartering the sojouris in the tolbuith, 26lib. 13s. 4d.

Item, to the vnder quarter maister, for ane supper and dinner to the guard at the bridge of Dee, 16lib.

Mair, to him for his paines, 5lib. 12s. 8d.

Item, to Captane Mortimer, for meat that his trowpt inlaikit for want of quarters, 18lib. 13s. 4d.

Item, for mending the tuo lockis of the studie doir, and latron in the clerkis chalmer, 8s.

Item, givin out to postes, at direction of the bailies, 2lib.

Item, to Gilbert Hervie, elder, which he depurst for sending a gyde witht postis at your directioune, 1lib. 4s.

Item, to Dauid Sinclairis wyfe, at direction of the bailzies, for dyvers lawyngs, 33lib. 2s. 4d.

Mair, to the relict of Mr. Alex[r] Reid, at thair directioun, 10lib. 13s. 4d.

Mair, to Dauid Sinclairis wyfe, at the bailzies directioun, 1lib. 10s.

Mair, for ane post to Dunnotter, at thair directioun, 12s.

Mair, for ane post to go to the Laird of Skeyne, 12s.

Mair, for ane rod givin to Gilbert Andersone, at direction of baillie Mortimer, 1lib. 4s.

Item, to the burrowes post who brought the missive, 1lib. 6s. 8d.

Item, to Andro Gray, post, to go to Cowy, 12s.

Item, to James Murray, sojour, to buy him breeches in Henrie Duns house, 1lib. 4s.

Item, to Johne Leslie, for going to Sklaittie, 4s.

Item, for our denner in Dauid Sinclairis, with sume officiars, 8lib. 3s. 4d.

Item, in Hendrie Dunes, efternoon, with generall quarter maister Grahame, 17s.

Item, for Colonell Gordones denner in Henrie Dunes, and vther gentlemen, 17lib. 6s. 8d.

Item, at Bailie Mortimers command, to Gilbert Leslie, for ane rubbor for aquavitey, 14s.

Item, to Dauid Sinclaires wyff, for sir Williame Rollocks denner, 10lib. 5s. 8d.

Item, to Alex[r] Willeamesone, baxter, conforme to the provest and baillies warrand, 44lib. 13s. 4d.

Item, to Dauid Sinclaires wyff, for Frenche wyne, beir, and whyt bread for the Lord Gordounes buriall, 17lib.

Item, in Gilbert Leslies house efter supper, 4s.

Item, in Henrie Dunes at quartering, 9s.

Item, to Adamsone of Fleuires, for preserving Bailie Moiris house, 106lib. 13s. 4d.

Item, for ane pynt aill to the said Adamsone, in Isobell Lorimers house, 2s.

Item, spent in Dauid Sinclairis, with Nathaniell Gordone and Capitan Mortimer, 5lib. 14s. 8d.

Mair, with them and vther gentlemen ther followers, 4lib. 13s.

Item to ane post that broght letters anent James Gibsones ship, 6s.

Item, for wyne and tubacco with Foveran in Hendrie Dunes, 5lib. 11s. 8d.

Item, for a post to go with Aboynes orders, 4s

Item, spent with sir W^m^ Rollok, and the baillies and vthers present, 3lib. 8s. 4d.

Item, spent in Dauid Sinclairis, with Minimoir and vthers, 5lib. 16s.

Item, for tuentie sex fathome of towes to buckle Lowdovicks wyne, 1lib. 14s. 8d.

Item, to Annand, as ane cleanger, 6s.

Item, to Porlethins man for cariage of ane letter, 6s.

Item, to Thomas Paipis wyff, for ane denner to young Fetterneir, and for wyne to the Lord Gordones buriall, 11lib. 6s.

Item, to George Wilsone, post, for carying the Lord Aboynes letter to the Erle Marshaell, 12s.

Item, to Dauid Sinclairis wyiff, and W^m^ Andersone, stabler, for arbothie quarters, 32lib. 19s. 8d.

Item, to Grisall Straquhan, for ane pynt of seck to Harthill and Mr Andro Cant, his prisoner for the tyme, 1lib. 6s. 8d.

Discharge, 1645–1646.

Item, at bailie Forbes desyir, to ane cheif commander of ane armie off horss and futt that was aproching neir the toun, and to put thame by wnwrangit the toun, 363lib. 5s.

Discharge, 1647–1648.

In the first, to Sir Willeame Forbes of Cragiewar, for 300 bolls of meil, at 5lib. the boll, 1500lib.

Discharge, 1649–1650.

Item, to ane post, for goeing to Edinbrugh with letteris anent the excise, by order of bailie Jaffray, the tuentie nyne of Apprill, four pund.

Item, to John Jaffray, baillie, conventionar chosin for the parliament the 4th of Maii, ane hunder pund.

Item, be the compter, to the ministeris, be order of the counsell, of gratuatie, four hunder sextie sex pund thertein shilling and four penneyis.

Item, to tua of the Kingis footemen, by order of the provest and bailzeis, the 24th Junii, 60lib.

Item, to ane man with ane cancer in his hand, by order of bailzie Moriesone, 12th off Junii, tua pund fyifteeine schillingis.

Item, to Johne Maleis, for the chalmer maill, by order of the provest and baillies, the 26th Junii, thertie thrie pund sex schillingis aught penneis.

Item, to tua of the Kingis servants, by ordor of baillie Cullane and bailzie Cochrane, 4th of Junii, fyve pund ten schillingis.

Item, to ane post, to goe to Edinburghe with letteris, 2lib. 15s.

Item, to Alex^{r} Burnet of Schethokisley, for ane yeiris anuil rent and profeit of tuell hunder and feftie merkis restand be the toune to the said Alex^{r}, for the termes of Mertiemes, 1649, and Witsonday, 1650, by order of the provest, the sevintein off Julii, feftie pund.

Item, to the provest, when he went to the parliament or assemblie, the 2nd off Julii, by ordor of the bailzies, ane hundreth punds.

Item, to Johne Donnoldsone, laite thesaurar, in compleit peyment of his haill debursements and band, by ordor of the bailzies, 753lib. 2s.

Item, to Johne Hendersone, post, for goeing south with letteris, be ordor of Bailie Cullen, the auchtein of Julii, ane pund sevin schilling sex penneis.

Item, for the pairte of ane letter, by ordor of Bailie Jafray, the 21st of Julii, sex schilling.

Item, to W^{m} Leslies woman, for wyne and glasses spent when the king was here, by order of the counsell, the tuentie four of Julii, ten pund sextein schilling.

Item, be Patrik Murray, for breide and flour, and vther necessaries, in

the tyme when his Majestie was in Aberdein, by ordor of the counsell, the tuentie sevin of Julii, tuentie four pund aught penneis.

Item, the last of Julii, to Johne Jaffray, baillie, when he came from the parliament, by ordor of the bailzies, 380lib. 19s.

Item, to Robert Ker, to goe to Fraseris burghe for almis, by ordor of the bailzeis, the last of Julii, feftie fyve pund.

Item, to Gilbert Leslie, for wreitting aught kingis actis, with some gold letteris, by ordor of Bailzie Cullen, the sexteine of August, thrie punds.

Item, to the provest when he went to the parliament, the tent day of August, by order of the bailzies, twa hunder punds.

Item, to James Cromie, printer, for prenting the theses, by order of the bailzies, sex pund therteene schillings four penneis.

Item, be the comptar, to David Sinkler, for my Lord Duke off Buckinghame, and sundrie wther noblemens charges, dwreing the aboade of his Majestie, by ordor of the counsell, the 17th of Julii, ane hundereth fourtie sex pund therteine schillings four penneis.

Item, to Alexander Ramsayis wyiff, for wyne and glasses, when his Majestie was in the toune, nyne pund tuell schilling.

Charge, 1650–1651.

The comptar chargis himself with the levie money in Balbegnois regiment, consisteing in fourscore and fyve men, at tuentie dollors the man, be ordor of the magistrattis :—

21 men—Evin quarter, at 55 pund the man, 1155lib.

Givin doune be the bailzeis and poore people, and these that left the toune, 55lib.

Restis free money, 1100lib.

17 men—Futtie quarter, at 55 pund, 935lib.

Givin doune be the bailzie of the said quarter, 12½ dollors, 34lib. 7s. 6d.

Restis free money, 900lib. 12s. 6d.

21 men—Crooked quarter, at 55lib., is 1155lib.

Givin doune be the bailzie of the said quarter, 24 dollors, 66lib.

Restis free money, 1089lib.

16 men—Green quarter, at 55lib., is 880lib.
Givin doune be the bailzie of the said quarter, 15 dollors, 41lib. 5s.
Restis free money, 838lib. 15s.

10 men in the Freedome:—
1 man Robeslaw, 55lib.
2 men Ferriehill, compound for 30 dollars, 82lib. 10s.
1 man Schethokisley, 55lib.
1 man, George Davidsone, 55lib.
2 men Countes wallis, compound for 30 dollars, 82lib. 10s.
Kingis wallis and Frosterhill furnisched twa men, quhilk the compter dischargis himself with in the levie.
1 man resting be Patrik Leith, 55lib.

Summa lateris, sewin thousand and threttein punds sewin shillings sex penneis.

Discharge, 1650-1651.

The comptar dischargis himselff with threttie nyne men, and a quarter mene loane, quhilk is resting be the seuerall persones underwrittein, at fyifteine pund the peace, is 588lib. 15s.

Ther names as follouis, in ther seuerall quarteris, and freedome of the said toune:—

Even quarter.
Wm Maitland, 1 man.
Thomas Wilsone, 1 man.
James Forbes, flesher, 1 man.
Patrik Blak, saidler, 1 man.
Hendrie Marr, 1 man.
Walter Moriesone, 1 man.
Johne Symsone, 1 man.
Johne Galloway, 1 man.
George Leslie, elder, 1 man.
Wm Craige, 1 man.
Alexr Johnstoune, 3 quarteris of a man.
In this quarter, ten men 3 quarteris.

Futtie Quarter.
Robert Smith, 1 man.
Williame Leslie, 1 man.
Johne Scott, 1 man.
Futtiemen, 1 man half man.
George Barclay, 3 quarteris of a man.

James Broune, skipper, 1 quarter.
George Law, lost, 1 quarter man, be ordor of the bailzie.
Is, in this quarter, 5 men 3 quarteris.

Freedome.

Frosterhill, 1 man.
Clarkseat, 1 man.
Patrik Leith, 2 men.
Freedome, 4 men.

Crooked quarter.

Gilbert Andersone, 1 man.
Alexander Lumisden, 1 man.
James Clerk, skletter, 1 man.
James Watsone, 1 man.
Alexander Annand, 1 man.
Johne Law, 1 man.
Cap. Gordoune, 3 quarteris.
W^m^ Smyth, tailzeor, 3 quarteris.
Johne Ettershank, 3 quarteris.
Lost, in Duncan Donoldsons billet, 1 quarter.
Crooked quarter, 8 men half man.

Greene quarter.

W^m^ Robertsone, 1 man.
Andrew Burnet, 1 man.
W^m^ Blakburne, 1 man.
Johne Strachan, wobster, 1 man.
W^m^ Patersone, 1 man.
James Clerke, wobster, 1 man.
Johne Marr, 1 man.
Georg Abirerombie, half man.
James Leslie, tailzeor, 1 man.
W^m^ Saidler, 3 quarteris of a man.
Androw Davidsone, a quarter man.
Greene quarter, 10 men ane quarter.

Gevin, be ordour of magistrattis, seuerall helpis to the poore and deade people of ther levie and vther necessar deburseements, as followis :—

Imprimis, for intertaineing of sex hurt sojoris that was hurt in the fische mercat, according to the compt, be ordor, 194lib. 11s. 4d.
Tuentie sex of the Kingis guarde, at ten sh. the day, was 3 dayes, 23lib. 8s.
For heileing of Alex^r^ Woodis hand, hurt in the fische mereatt, 9lib. 10s.
To the twa capitans, Leith and Gordoun, for baggag horse and loane money, 750lib.
To Collonell George Keith, for loane money, first, 540lib.
Maire, for loan money which was payit for the officeris, 200lib.
For victuall payit to the tua companies at Stirling, 1500lib.
Mair, for victuall to the said companies, 66lib.

To Bailzie More, for panns and vther thingis for the companies, 77 lib. 14 s. 8 d.
To James Andersone, for his hardyne, 360 ells, be order, 84 lib.
To Captaine Leith, be ordor, in gratitude, 66 lib. 13 s. 4 d.
To the deane of gild, for armis, be ordor, 87 lib. 18 s. 4 d.
Helpe for Patrik Cruikeshank, be ordor, 16 lib.
Helpe for George Meldrum, 8½ dollors, 23 lib. 7 s. 6 d.
For twa drummis to Alex^r Forsyithe, 24 lib.
For Alex^r Forbes, sex dollors, 16 lib. 10 s.
For Gilbert Skeene, 8 dollors, 22 lib.
For W^m Smyth, 4 lib.
For Patrik Sangster, 15 lib.
W^m Gordoune, 15 lib.
To James Gordoune, 12 lib.
For painteing the twa paire of cullors, 13 lib. 10 s.
For boweing the pannis to the sojoris, 13 lib.
To Andro Stevin, for helpe, sex dollors, 16 lib. 10 s.
For George Low, 5 lib.
To the sex officiers, be order, 7 dollors, 19 lib. 5 s.
Robert Cruikshank, tailzeor, help, 6 lib. 13 s. 4 d.
For Mr. Johne Hay, 3 dollors, 8 lib. 5 s.
For Mr. Patrick Reid, 12 lib.
For Androw Kempt, flescher, 2 dollors, 5 lib. 10 s.
To Johne Peirie, 6 lib.
For goeing throw the freedome anent the levie, 18 s.
For Mr. Johne Campbell, 18 lib. 12 s.
For Robert Cordoner, thrie dollors, 8 lib. 5 s.
To Johne Brounis wyiff, for intertainement, be ordor, 6 lib.
To Williame Walkeris wyiff, helpe, 2 lib.
To Alexander Garrioche, 13 lib. 15 s.
For macking and mounteing the culloris, 5 lib. 6 s. 8 d.
For helpe to the Futtiemen, 20 lib.
For hyre to Bailzie Leslie to ryde to Dunnotter, 3 lib. 12 s.
To Alex^r Harthill, for helpe, 8 lib.

Summa lateris, thrie thousand nyn hundreth threttie nyne pundis fyftein shillingis tua penneis.

For thrie troupperis mainteineance in the tolbuithe, 2lib. 16s.
To Andrew Beuerlay, for ane horse dyet, when the king was here, 26lib. 13s. 4d.
To Androw Irving, for ane horse, at that tyme, 30lib.
To ane of Elsiekis men, for tuo horse, 20lib.
For souldiors intertainement in the tolbuithe, 3lib. 12s.
To Effie Robertsone, for intertaineing souldiors, 2lib.
For a horse to take away the hurt sojore, and something allowit for the woman for attendeance on him, 9lib.
For intertainement to sojoris in the tolbuithe, 2lib. 8s.
To Johne Mowat, for removeing Balbegnois sojor aff of the fredom, 4lib.
To Effie Robertsone, for entertaineing sojoris, 8lib.
For twa sarkis to the hurt sojor at ther way goeing, 2lib. 16s.
To Cristey Gordoune, for a sojor, 14s.
To Marie Cristie, be ordor, 11lib. 4s.
To Captaine Reidis quarteris when he came in with the Atholl men, 12lib.
Mair, givin to Captain Reid, for his painis, 30lib.
To Normound Seingyeor, post, for goeing southe to Balbegno, 1lib.
To Donnold Irving, for helpe, be ordor, 20lib.
To Johne Craig, for helpe, 3 dollars, 8lib 5s.

Particular debursements, debursit be the compter in the tounes commound effairis, indureing the yeire of his offiee:—
For wyne, peares, beire and aill, and tubbaceo, spended at the ellectioune of the magistrattis and counsell in September, 1650, fourtie fyve punds auchtein schilling.
For wyne, tubbacco, breide, and peeris, and confectiounis, at the makeing of Sir Williame Lokard burgis, is 17lib. 14s.
To Bailzie Jaffray, when he went first southe to the parliament in October, ane hunderethe punds.
Be warrand, to Johne Brownis wyiff, 11lib. 16s.
To W^m^ Scott, wright, for makeing tikettis, fyve merks, 3lib. 6s. 8d.
To Bailzie Jaffray, to mak his chargis to parliament, ane hundereth merks, 66lib. 13s. 4d.
For horse hyris to these that went commissioner to Pitsligo, 16lib.
Maire, to ane post, 4lib.

Payit be order to Margaret Pettrie, 5 lib. 10 s.

To Johne Thomsone, to goe southe, 6 lib. 13 s. 4 d.

Payit to Alexander Watt, for essing the mills, be warrand, 15 lib. 8 s. 4 d.

For printeing off Doctor Dunis booke, be ordor of counsell, and for the papper theroff, 279 lib. 13 s. 4 d.

The toune, for the ellements at the communion in November, 26 lib. 18 s.

Followis the rest of the debursements in the tounes commound effairis:—

To Mr. James Ritchie, for the poore of Futtie, 40 lib.

To Bailzie Jaffrayis chargis to the parliament, according to his compt, 103 lib. 10 s.

When Balbegno was made burgis, spendit 12 lib. 14 s.

For ane kist to ane of the Kingis servandis, 4 lib.

To James Andersone, for makeing the calsey cleane anent the clerkis chamber, 1 lib. 4 s.

Bailzie Leslies chargis to the parliament in Februar, 1651, 100 lib.

To Alex^{r} Harthill, be ordor, for premiums to the bairnis, 2 lib. 8 s.

To David Touche, for helpeing him southe, 2 lib. 14 s.

To Alexander Clerke, for necessaris the meill mercat and weyhouse, 14 lib. 15 s. 8 d.

Ane post to St. Johneston, 4 lib.

Send to David Gordone, servitor to W^{m} Downie, 2 double angells, 30 lib.

Ane post to Stirling, 6 lib.

When the Meserse was made burgis, spendit 6 lib. 3 s.

To Elspet Davidsone, for the chargis of hir decreit, 6 lib, 13 s. 4 d.

To the Mecerse, be ordor and gratitude, ane hunder merks, 66 lib. 13 s. 4 d.

To posts, at seuerall tymis, 18 lib. 2 s.

To Robert Volum, post, 1 lib. 4 s.

For dressing the Nether mill, 20 lib. 2 s. 8 d.

To the provest, to make his chargis to parliament, 266 lib. 13 s. 4 d.

To Hew Rosse, ane of the King's servands, 3 lib.

To ane post to Stirling, 4 lib.

Johne Schiphird, post, bringing letteris, 13 s. 4 d.

To Hew Kennedie, with the English fiscberis, be ordor, 33lib. 6s. 8d.
To the drummer for making four drums, 12lib., 48lib.
To James Delab, be ordor, sent ane angell, 7lib. 10s.
Donnold Irving, for ane poore hurt sojor, 1lib.
To James Scott, stabler, for tua of the Marqueise drawguns, 2lib.
Spended with the theasurer deput, 7lib. 19s. 4d.
For tafetie linen and silke to Johne Forbes, for thrie paire off culloris, for the tounis use, 38lib. 8s. 8d.
To the warkmen, for workeing to the Englishemen, 6lib.
To twa gentlemen that came from the Duke of Yorke, 13lib. 6s. 8d.
For 21 pikis, for the touns use, to William Duffus, 33lib. 6s. 8d.
To George Goddisman, post, for goeing to the estaittis, 1lib. 6s. 8d.
To Mr. Johne Williamsone, for ane brod gratitude, 20 dollors, 60lib.
To George Moriesone, for thrie paire of culloris, makeing, 8lib.
To the said George Moriesone, for twa launcis to carie, 3lib.
For holdeing the drawgunis onquartered one the toune, 6lib.
For fourtie partisine stawis to W^m^ Duffus, 20lib.
To James Cathnes, post, for Stirling, 4lib.
For horse hyre to Dundie, with poudder to Hew Kennedy, 16lib.
For George Godisman, post, for letteris to the estaitts, 2lib. 13s. 4d.
For Mr. W^m^ Sinckleris maintenance in prisone 14dayis, 4lib. 4s.
To George More, in pairte of peyment of the partisine heidis, 40lib.
To Donnold Irvingis wyffe, for thrie Hieland men's intertainement, 1lib.
To George Watsone, sojore, for his helpe, 2lib. 13s. 4d.
Spended with the Ladie Rothiemay, 7lib. 18s.
For ane horse hyre to ane of the King's servands, 3lib.
To Androw Watsone, for tafetie to be ane paire of cullors, and silke therto, in Februar, for the use of the toune, 15lib. 7s. 6d.
To Mr. W^m^ Moir his chargis to the generall assemblie, 100lib.
In Alex^r^ Burnettis, with Johne Denholmis, spendit 5lib. 8s.
To Hew Rosse, ane of the King's servands, ane dollor, 3lib. 2s.
For instrument against the Erle Merschell be W^m^ Chalmer, 2lib.
Ordor to pey 40 merks for penting of foure culloris, 26lib. 13s. 4d.
Ordor to allow Thomas Boyis 4lib.
To David Jaffray, for pulder for use of the toune, 16lib.
To James Andersone, for dighting the roumis of the tolbuithe, 1lib. 16s.

To Donnold Irving, for ane poore hurt sojor, 1 lib.

To James Scott, for ane horse mainteinance, 5 lib.

For thrie horse hyris that went to Dundie to the Englische officiers, Provest Jaffray, Mr. W^m^ More, and for Provost Jaffrayis man to Dundie commissioneris, 24 lib.

To David Sinklers wyffe, for the Marqueise of Huntlies chargis, 90 lib. 4 s.

To W^m^ Leslie, stabler, for the Gordouns horses, 10 lib.

To Robert Glennie and Alex^r^ Charlis, ilk ane of them thrie pund, 6 lib.

To the officiers, be order at the visietting of the comptis, 120 lib.

For intertaineing twa sojoris in the tolbuithe, 3 lib.

In David Sinkleris, spended with Capitan Kendell, Inglisch skipper, 5 lib. 6 s.

Advanceit be me, be ordor, for Pitmedden . . . 1651 yeiris, sex pundis, and for clerk fies and all vther dues, is 12 lib. 13 s. 4 d.

Advanced to Johne Giffart, for Thomas Messer 20 dollors, this to be gottin in, 55 lib.

The compter dischargis himselff with tua hundreth pundis givin to Mr. Androw Cant, be ordor.

To Mr. Johne Row, sicklyke, 200 lib.

Item, the compter dischargis him selff with ane band of 722 lib. 8 s., with 22 lib. 12 s. for halfe yeirs anuell rent thereoff resting be Paull Colliesone, assignit be the maister of Lovitt, allowit to me, quhilk is of all, at Witsonday last past, 1651, 745 lib.

Anuell from Witsonday to Mertiemes due to be payit:—

Item, the compter dischargis himselff with aucht hundereth tuentie and aught pund, payit be ordor to Mr. Johne Campbell, for the loane of fourscore and ten soldiers in Julii, 1650, put out be the toune.

Item, the compter aught to be discharged of 55 lib., for Patrik Leith's man, quhilk he sould have payit for, in Balbignois levie, resting as yet.

Payit, be ordor, to W^m^ Laa, half monethis mainteineance, for the proportion of the expensiss of his Majesties corronatioune, 600 lib.

Payit to the factoris in Campheer, ane monthis mainteinance, for the Kingis homebringing, conforme to the magistratts ordor, is tuell hundereth pundis.

Payit to Thomas Still, for tuell baggag horse, be warrand of the

magistrattis, conforme to ane act of parliament, sex hundereth pundis.

His Majesties chargis at his last being in Abirdeene, payit be ordor, as followis :—

Imprimis, to Patrik Murray, baxter, 80lib.
To Patrik More, bailzie, 113lib. 16s. 6d.
To Alex^r^ Johnstoune, glasser, 20lib.
To Johne Edmistoune, 8lib.
To Androw Watsone, flescher, 148lib. 10s.
To Alex^r^ Ramsay, for wyne, 21lib. 9s.
To Androw Grey, 27lib. 10s.
To Thomas Cowie, 135lib. 8s. 4d.
James Robertsone, 42lib. 6d. 8d.
Gawin Mill, 12lib. 10s.
Johne Ray, 23lib. 4s.
David Young, for aill, 35lib. 12s.
Robert Mersser, 55lib.
Coalls and woode, 88lib.
Deane of Gild's compt, 16lib. 2s. 4d.

This was ordained be the bailzies :—

For carrying coalls and wther necessaries to the Kingis house, 6lib. 12s.
To ane servand of the Erle Merschells, 5lib. 10s.
Item, to W^m^ Skeddoway, for aplis and leckis, 13lib. 6s. 8d.
To Cristen Gordoune, for intertainement to some of the Kingis servands, 2lib. 13s. 4d.
To Androw Gray and Thomas Comie, for bringing in provisioune, to 6lib.
To Bailzie Burnet, for peetis and a post, 1lib. 18s. 8d.
To ane of the Kingis servands, 4lib.
To W^m^ Freeman, 20lib.
Mair, to David Young, for spiceries, 6lib. 6s. 8d.
To ane of the Kingis servands, 48lib.

Be ordor of the magistrattis, boght provisioun according to Collonell

Okey, commander in chieff the Englisch horses, for fourtie men in twa schippis:—

Imprimis, sex muttoune boikis at 4 lib., 24 lib.

Ane barrell of salmond, threttie thrie pund sex shillingis aught pennies.

Ten gallounis and four pynts of wyne, 84 lib.

30 lb. butter, 1 steine half, at 5 lib. 6 s. 8 d., 8 lib.

Tuell pund candle, at sex sh., 3 lib. 12 s.

Fourte ane pund cheese, 5 lib.

Thrie bolls meill in breade, bakin, all 32 lib. 6 s.

For woode to both the schippis, ane faddome, 8 lib.

Ane beeffe coft, threttie tua merks, 21 lib. 6 s. 8 d.

Thrie peks salt, 1 lib. 10 s

For aught trees to holde the aill, 26 s. 8 d. the peece, 10 lib. 13 s. 4 d.

For a feirrikin to holde the butter, 14 s.

To W^m^ Pott, for aill, 4 lib. 8 s.

To James Tailzeors wyff for aill, 46 lib. 18 s. 8 d.

To Alex^r^ Ettershank, coupper, for trees to holde the breade and wyne, 8 lib. 6 s. 8 d.

To David Young, for the Englische prissoneris of Collonell Okey, 2 lib. 6 s. 8 d.

To George Aikman, for bringing wp the boat, and carrying doune the saids provisiones, 1 lib. 13 s. 4 d.

For tubbacco and aill to the quartermaisteris in the laigh counsell house, before ther billottis was drawn out, 10 s.

To Mr. Johne Weer, minister, for preecheing in this toune sene August, 1651, ane hundereth and feftie punds.

For the commissioneris charges that went south last to Dundie efter the Englische commanderis, ane hundereth pund.

To Androw Goodeaill's wyff, conforme to ordor, that was resting hir of borrowit money, compond for four scoir punds.

Item, the compter ought to be discharged of the soume of thrie hundreth and four pounds thrie schillingis four penneis, givin to Robert Kerr, maister of the mortifyed moneyis, for peament of ane pairt of the townis debt, restand to the Lady Drumis mortificatioune.

Spended in David Sinckleris with Livtennent Cornell Murrey and Capitane Donnoldsone, ellevin punds twa shilling.

Spandit with Liutenant Collenell Keith and the twa capitains in David Sinklaris hows, ten pund threttin sh. 4d.

Spandit with Ludquharne in Jame Anderson's at the schor, and with ane Dowglace, thrie pund 2 schilling.

For exeeeuting ane summonds against Philorthe, 12s.

To Mr. James Sandilands, clark, quhen the prowest keipit hime with hime at Stirling, quhen he was wpon his journay hom, the superplus of his chargis, sex lib.

Item, to the boy in the clerkis chalmer, for his attendance, 6lib.

Discharge, 1651–1652.

Imprimis, the compter discharges himselff off tuentie ane pounds tuelff shillings 4d., for wyn, beir, and aill, pyps and tubaco, peyit, be ordor of the majestrats, at the election, 1651.

Item, the compter was sent be the toun eftir Overtoun, 27th November, to Cullen of Boyn, with lettres, as instructiones anent Mr. Wilieame Ord, and he was of chairges till his return, 13lib. 5s. 8d.

Item, to Alex^r Bruice, wreytter in the clark chalmer, be warrand, to buy him a gown, 13lib. 6s. 8d.

Item, peyit to posts, be warrand from Baillie Jaffray and Baillie Moir, 2nd Januar, 1652, 5lib. 11s. 4d.

Item, to posts, to go throw the contrie, to get in corn and stray to the trupperis, be warrand, 5lib. 2s.

Item, of four marks, for the maill of ane staible in Rabin's closs, becaus the same is downe, 2lib. 13s. 4d.

Item, for mending ane holl off the flour myln, 16s.

Item, for saillis to the wind miln, and ane steell bruish therto, 34lib. 10s.

Item, to James Horn, that he debursit wpon reparatioune of the touns comon mylns, sextie twa pounds four sh.

Charge, 1653.

Rentall of the Tempell lands, quhilk are nowe holdine in frie burgage:—

Sir Robert Farquhar's houss at the Ovirkirkgait port, 3s. 4d.

Johnne Innes and Johne Caddell in the Seuilhill, 1d.

W^m^ Nicolsouns land at the Justis port, 2s.
Patrik Findla and Mr. Alex^r^ Robertsoune, at the Trinitie port, 6s. 8d.
Alex^r^ Kempt, meassone in the grein, his houss, 2s.
Georg Stewartts houss in the Netherkirkgait, 1s. 9d.
The land of W^m^ Gray in the Nether kirk gait, 1s. 8d.
The land of Hendrie Panttowne their, 3s. 4d.
The land of Major Forbesses, now Thomas Gairdinis vyffes, 3s 4d.
Summa is 1lib. 4s. 2d.

Rentall of the lands holdine of the abacie of Aberbrothack, and now of the towne of Aberdein:—
Item, the land of Johne Duff, at the back of the toune, 2lib.
Item, the land of Charrells Dunne, at the burne heid, 5s.
Summa is 2lib. 5s.

Discharge, 1653–1654.

Item, of the grass of the loch, becaus it wes all eatin be the troupers, which is 70lib.

Discharge, 1655–1656

Item, deburst be the compter for 3 els of stronge blak silk louping, sowed and tyed upon the tuo best mortclothis, for preserwing of them oncutted with the soldieres swordis att buriales, at thrie schillingis the ell, is 9sh., and for tuo drope of silk to sowe some slites in the clothes and the most of the fringzes, 4sh., and to the tailzeor for his paines, 8 kinde, 1lib. 1s.

Item, deburst, be ordour of the magistratis, to the clerke of the exchequer his thrie servantis of drinck money, efter inspectione hed by Mr. Prewons ther maister and them off the tounes vreites heir, to eache of them ane croise dollar, (ther said maister himself refuissing to accept off any money fra the toune anent the productione off ther vreites, notwithstanding I did present, and earnestly urged him to accept of 12 croise dollaris into a peapper), is 8lib. 5s.

Nota, the comptar is to be discharged with sex rix dollaris, payed be him,

be ordour of the magistratis, to some distressed people laitly reliewed from the Turkis, and that out of the first end of 206lib. 5s. 8d., money collectted be the toune long agoe, for releiff of some prisoneris from the Turkis, quitche he continewes to be allowed to him wntill he pay back the said soume, quhilk he borrowed wpon band fra the toune out of ther chartaur kest.

Item, the compter ought to be discharged with the soume of fyve houndrethe markis money, payed be him, be warrand of the magistratis, to Mr. Robert Peatrie, yonger, ther agent choysine to ghoe for Loudone, to attend the present parliament ther, in helping to procuire quhat may be effectual for the weill of this burghe, 333lib. 6s. 8d.

Item, the compter ought to be discharged with the soume of nyne pundis sex shillingis eight pennies money, resting be the toune to the compter since 1644 yearis or therby, the quitche tym the compter vas vrged be the magistrattis att that tyme, as syndrie wther nichtbouris ver, to advance to them fyftie merkis money, to helpe to releiwe the toune, for considerable soumes of money they ver forceed to advance to Generall Major Hurray and Generall Major Baillie, off the quhitche fyftie merkis, advanced them be the compter as said is, ther is resting be him, for his propper taxsatioune, imposed all that tym upone the burghe, tuantie foure pundis; so, to this houre, ther remaines resting to the compter of his said fyftie merkis just 9lib. 6s. 8d., as the magistrattis stent roll of that quarter whair I did liwe, as zytt in custodie of Baillie Cullane, vill as zytt cleire, is 9lib. 6s. 8d.

Discharge, 1656-1657.

Item, to ane officer, for laying on ane preceept against the possessors of thrie chops under the clerkis chamber, 6s.

Item, for mending thrie locks, 6s.

Item, for ane barrell of salmond, to be send furth to William Downy, and for carieing them to shor, and mariners, 24lib. 6s. 8d.

Item, to Mr. Androw Cant, be ordor of the counsell, 16th September, in respect of his great paines, 133lib. 6s. 8d.

Item, to John Forbes, stationer, the soume of fourscoir sexteine pund, which he advancit to Mr. Robert Patrie at Londone upone his ticket, and therfor the magistratis ordanit me to refound the samen.

Item, peyit be the compter to John Forbes, stationer, for fyften diornalls, at the magistrats ordor, four pund ten sh.

LETTERS

TO

DR. JAMES FRASER.

M DC LXXIX—M DC LXXXIX.

LETTERS

TO

DR. JAMES FRASER.

I.—*Mr. Martin to Dr. Fraser.*

Madrid, November 1, 1679, N. S.

Deer Sir,

I shall not trouble yow with an impertinent relation of my journy hither, wherein, howeuer, there haue been some aduentures of no contemptible remark. I shall only tell you that I arrived here the latter end of September. Sir Henry Goodrick came hither a fortnight after, and we are but iust now got into a house of our own.

Sir W^m^ Godolphin affected so much the honour of his late character, that he could not preuaile with himself to remoue his Majesties armes (whiche is the custome here to be placed ouer the dores of publick ministers) til the very day Sir Henry Goodrick appeared himself. Sir Henry's audience is deferred til his Catholic Majesties return from his journey to Burgos, whither he proceeded the 21st of the last month, to meet his royal bride. It would certainlie be worth a man's time to be present at the motion of the court toward the frontier, but particularie at the deliuerie of the Queen into the hands of the Spaniards, to obserue how the young princesse will be astonished at the extrauagant figures of the Dons, but most of all how she will be surprised to see with what a silly meen her lord and spouse will acost her in his first approaches, how awkardly he will put off his hat, and what a short compliment he will make her of S. V. M. bien venida, words that I hear

he has been as many months learning as there are letters in them, and which now he says much better without book then his Ave Maria. It is reported that he is strangelie enamoured of his young Queen, that he was wont to gaze away whole days on her picture, which he had in his closet, that he often would make reuerences to it, and sometime kiss it, practising upon the shadow to fit himself for the substance; and as a mark that he is a great galant, he not long since commanded all the Queen mother's maids to leaue off their fardingals, and ordered that mode should neuer more be seen in palace, because he was told it was not used in France, and that his Queen would not endure it.

When I haue been long enough here to make serious obseruations, I shall send you the true character of this court in its present posture since D. Juan of Austria's death, and be punctual in giuing all other occurrences here from, Deer sir,

Your most faithfull humble Seruant,

Jo. Martin.

Pray, sir, giue the enclosed to the gentlewomen to whom they are directed, if they be still with you, if not, send them where they are, burn or dispose of them as you please; but pray forget not to give my respects to Mrs. Nelly and my deer Lord Burford.

II.—*Mr. Martin to Dr. Fraser.*

Madrid, March 6, 1680, N. S.

Deer Sir,

Tho' no circumstance can encrease the value I haue for your letters, yet the first I haue receiued from you (which, I know not by what accident, has loitred strangely by the way) accompanied with those curious transcripts, and so full a relation of affairs at home, giues me the satisfaction of seeing that you euen take pains to entertain me at this distance, and that I don't please myself with a vain fancy when I think you have a kindnesse for mee.

I wish I could make you some proportionable return from hence; but you haue the aduantage of liuing in a court which is at present the

greatest scene in Europe of wit and intrigue, and I the misfortune of being confined to a place inhabited with the most stupid sort of animals in the world. You must know that I mean the men here; as for the women, I must confesse I spend some part of my time with them pleasantly enough, but not to a degree as to forget the charmes and advantages of our English beauties, to whom I pay a thousand times a day many tributary sighs and wishes.

I can now say little to you of my Spanish hero, who, I perceiue, will neuer afford any subiect for a sublime poem. He is not half so much in loue with his young spouse as he was before he saw her; howeuer, he is oftener in her company then at the council board; he conuerses and plays with the ladies of palace at canterlow and at one-and-thirty; but the pleasure he takes at crosse and pile and push-pin, shewes they are his fauorite games. He expresses his deuotion by the frequent visiting of churches and miraculous images; his learning, in being able to spell his name now without the help of his secretary; and his courage, in venturing to kill rabets with a crosse-bow; to conclude, his accomplishments are such, that the Spaniards have as much reason to adore him, as the Egyptians had, in old times, to fancy a divinitie in catts and garlick.

The Duke of Medina Celi is made first minister of state, a person whose worth and merits are equal to his high birth, and from whose integritie we may reasonably expect the monstrous irregularities of this gouernment will be in some measure rectified.

The fall of mony to one fourth part of its former ualue has spread an inconceiuable confusion ouer these kingdomes, an expedient made use of to fill the King's coffers, and which would neuer hane been endured by any subjects but these of Spain, who are as famous for being insensible of injuries as they are of benefits.

Our late embassador, Sir W^{m} Godolphin, stil continues here, his breast filled with enuy, and ready to burst with a million of poisonous thoughts that afflict him. I haue little time at present, my next may giue you a long relation of this gentleman.

I haue written to Mr. Wiseman, who is now in Andalusia, on his way to England, and owes me mony, to pay you, at his return, that summe which you had the kindness to furnish me with when I was there, who, I

question not, will be punctual in that matter. The book you mention I will look for, and send you, by the first opportunitie, from, Deer sir,

Your most obedient and humble Servant,

Mr. Fraiser. Jo Martin.

Pay my humble respects to my Lord of Burford, &c.

III.—*Mr. Martin to Dr. Fraser.*

Madrid, March 20, 1680.

Deer Sir,

Since we entered into the serious time of Lent, we haue no obiects here but of mortification. The continual noise of *miserere* in the churches, and the dismal sight of penitents scourging their insolent flesh in euery corner of the streets, is the only entertainment we haue at present in this Catholic court, wher you'l imagine how impatientlie the galants and ladyes wait for Easter, to put on fine cloaths, change their hypocritical faces, and sin publickly without scandal.

The few French that came hither with the Queen do not, it seems, love her Majesty so well as to endure the country for her sake, hauing already conceiued such preiudices against it, as that the greatest part of them will return on foot rather then stay here. Amongst the rest, Monsieur Guichard the poet, at the head of a troop of about thirty musicians, mounted on able asses, will begin his journy when they haue giuen him money to buy a pair of boots.

These ministers are almost of opinion that the French King will still be troublesome to them in Flanders, and yet seem not very uneasy since England thinks fit to declare a great concerne for the preseruation of those countries; and I believe they would very willingly leaue us the glory of so nobill a designe, without any share with us but in the profit of it. The truth is, they haue such confidence in his Majesties interesting himself in their cause, that they euen wish for a new breach with France, as a means to repair the disaduantages of the Nimeguen treatie, by another they expect more in their fauour. They haue lately taken

from Monsieur Villars, the French embassadour here, the priuilege of that jurisdiction about his house, as has been for many ages enjoyed by all foreign ministers, in return (as is said) of the ill treatment of the Duke of Joacnaro, the embassadour of this crown, in Paris. I have no more, but to professe myself, as I am with unfeigned respect, Deer sir,

Your most affectionate humble Servant,

Mr. Fraiser. Jo. Martin.

IV.—*Mr Martin to Dr. Fraser.*

Madrid, April 17, 1680.

Deer Sir,

We haue been awakened here out of that lethargy and neglect of business our humour does so naturally engage us in, by a late expresse from Paris, with loud and threatening demands of satisfaction for the affronts pretended to haue been put on the French ambassadour in this court, (of which I gaue you an account in a former letter), and with declarations of such high resentment, that we now find ourselves reduced to the necessities of being more greedy of appeasing, than we were rash in prouoking the displeasure of that troublesome monarch, and to win the continuance of his good friendship by a shameful condescention to those methods (pardon the word) which he imposeth on us.

My hero is so diuided between his deuotions and his amours, that it will be a question with posteritie which he frequented most, the altars or the ladyes cushions; tho' I'me perswaded the learned man that is to write the history of the actions of his life will shew that his gallantry and his piety goe with equal steps, and that he may as well be thought a saint as to deserue the opinion of the fair sex. It is obserued in his prayers that he is particularly addicted to the glorified souls of women (tho' some hereticks think these are none at all) for the great interest they haue in heauen; for, after he had almost consumed his lungs in calling upon St. Peter and St. Paul for rain, and all to no purpose, he no sooner inuoked St. Bridget, St. Teresa, and St. Catherine, when immediatly there fell many gentle and refreshing showers, that haue happily deliuered us from the fears we were in of wanting bread. This being

holy week, you must not admire if I haue taken notice of these remarkeable passages of miracle and deuotion.

The care which has been taken for the encrease of the number of councellors of state, shewes that this court is not altogether unconcerned for the good direction of their affairs. Those who haue been named to that honour are the Duke of Villa Hermosa, governor of Flanders; the Marquis of Velez, vice-king of Naples; Don Melchor Nauarra, the inquisitor-general; the Duke of Albuquerque; the Conde de Oropesa; and the Marques of Ma[n]zera. This place affords nothing more and I must tell you that I live under an impatient expectation of your fauour to, Deer sir,

Your most faithfull humble Servant.

Mr. Fraiser. JOHN MARTIN.

V.—*Dr. Lloyd, Bishop of St. Asaph, to Dr. Fraser.*

Novr 10, '84.

My very worthy friend,

If you had been less kinde to me, I should have been more civill to you. I mean, if you had not writt me so long a letter, it would not have been so long before I had answerd it; for, having filld my hands with business in this retirement, I can scarce afford myself time to write a long letter, tho' I may venture at a line or two between whiles. But not to make the matter wors by making a studied excuse, I thank you for your patience in reading the book which I made bold to put into your hands. It was a boldness indeed to present you with a piece which seems to be designed against the antiquities of your countrey; but I know you have considerd on my side that my business led me to it. And to do right to my cause, I was obliged to speak the plain truth, which is to be preferred, as the philosopher says, before any friend whatsoever, so I may add before ones countrey too. The patriarchs, whose praise is in the gospell, left their countrey for truth's sake. And as well to shew you that I am of their minde, as to make some amends to your country, I made as bold with my owne in shewing the defects of our writers. For the excuse that you bring from the wast of all records that

was made by King Edward I., I thought I had prevented, by shewing that, in that King's reigne, the records that were pleaded against him were mere fictions, tho', indeed, they were not the same fictions that have been set up since by later writers.

For what you say of the objections that are made against the tale of Amphibalus, that the same might be made against St. Alban, I can by no means grant it to you; onely thus far I go along with you, I do not believ that St. Alban sufferd in the time of Diocletian, nor does our Gildas affirm it any farther than as a conjecture, *conjicimus* is his word; but it was through his unskilfulness in ancient history he knew not that which you truly say and prove; and I said and proved it in that book, that, in Diocletian's time, there was no persecution in Britain. This does not take away from the authority of Gildas, who was certainly a very tru writer. There was not one untruth in his book. But his credit is engaged onely for this, that when he writ, which was in the next century after the Roman times, there was an undoubted tradition of an Alban that suffered here for the faith under one of the Roman emperors, which emperor he conjectures to have been Diocletian.

For your 2nd argument from Mabillon's Analecta (which I have not by me) it may seem to be very considerable; for the piece which you quote from Mabillon is a litany writt about a 1000 yeers ago. But if that be tru which you say of the age, then it is of no authority at all in this matter; for from the time that the Saxons came to be Christians till the yeer 800, they neither owned the British Christians, nor the Britains them, but as schismatics; and, therefore, I very much doubt that there is some inadvertency in that which you say of the age, or els in that which you say of the many British and Saxon saints which are together in that litany. For your 3rd argument, which is against the authority of Bede in this case, I willingly grant it is no better for St. Alban then for K. Lucius. I say for Bede's owne authority, I do not say the same of his author's. His author for K. Lucius is that raskally collection of the *Gesta Pontificum*. His author for St. Alban is Gildas beforementiond; and whatsoever is not in Gildas, I do not beleev it on the credit of venerable Bede. I grant you that Fortunatus Venatius was of Gildases age. One gives you the traditions of Gaul, and the other of Britain, concerning the same person, in an age when there was no historian of Gaul or of Britain that had written anything of our British church matters since

the time of St. Alban, which I take to have been that of Decius or Valerian; so that there was nothing to be known of those times but by tradition, or from private writings of no greater authority; and from hence I observe a great difference between the credibilities of those things that are said of St. Alban, and those that are said of Pope Joan, whom you parallel with him. We reject the story of Pope Joan, not because she is not mentiond by any writer till 200 yeers after, but because she is shut out by writers that lived in the same age. Hincmar, then Archbishop of Reims, tells us how he was going to Rome to Pope Leo IV., and (saith he) when we were come to Turin, we understood that Pope Leo was dead; therefore we made a halt there for 2 or 3 weeks, and then we understood that Benedict III. was chosen in his stead. Now, if writers 200 yeers after tell us (as they do) of a Pope Joan that sate about 2 yeers, between this Leo and this Benedict, I think this one passage of Hincmar is enough to disprove them, and would be so if these writers had lived within 100 yeers, or evin in the same age.

To the 4th thing you say, that Amphibalus was not the name of the garment, but caracalla: You might as well have said it was toga or penula, for all these are garments of different sorts. But that sort which St. Alban was said to have worn in the legend was Amphibalus; which our lying Jeffrey took occasion to turn into a man, and from our Jeffrey it came into all the authors you mention. And all those tales of the reliques of Alban and Amphibalus were made either by our Jeffrey, or by some of his associates; for he greazed his pauch at St. Alban's at the time of the discovery of those reliques, as I could prove if there were farther occasion; but this is more than the matter deserves.

I thank you for the information you give me of books that we are to expect; but my enquiry was for books of inscriptions that have been publisht since Reinesiuses time. I know of Lambecnises Carnuntum, and of Norises Monimenta Pisana. I beleev there may be more, and you would do me a great kindness in enquiring for such.

I take leav with all kindeness and respect, being truly, sir,

Your very affectionate servant,

W. Asaph.

VI.—*Anne, Countess of Errol, to Dr. Fraser.*

8th Februar, 1688–9.

Sir,

I had not thought on giving you a trouble of this kynd, till I had heard of that which I sent toward you with my Lord Keith had come to your hands, if a necessitie did not oblidge me to it which I was not then thinking on, by my brother Perth's being imprisoned in the castell of Stirling, and having aluays been a very kind freind to me (except so far as his change of religion did a litle, on that account, byass him to the contrar) I could not but wish his relise from that restraint, and endeavor all that I could to get it made as easie as possible; which some people had the malice to mistake so far (at least to pretend they did so) as to begin to vent that nothing could make me so kynd to him (considering how hardly he had dealt by me on some occasions) but a being overcome to his errors, which was both groundless and unjust, for it is more then a tuelv monthe since he left off to importune me on that account; but at last I found out that it was invented to endeavor to freight me from doing him any more kyndness, or from doeing what I could to procure his relise; and having got notice that some of them who had said this of me was gone to London, I grew apprehensive that, at such distance, they might possibly come to doe me a very ill ofice with some at that place, whose good oppinion I am very loath to find a liklyhood to loss, and particularly your self, who (amongst severall others that I have very much esteem for) can have no ground to valw me, but for my love to that truth which I look on as my greatest honor to profess. I hope you will accept favorablie of this vindication, and prevent my sufring under a calumnie which I had rather dye than deserv; and let not my endeavors for my brother's saftie be mistaken, which I wish not more sincerely to succeed for the relation I have to him, then I doe for the hopes I have that I may one day see him a member of that gloryouss church, which it was his misfortune to fall from; and I pray the Lord may grant him the grace to improve the suferings he is under, for the glory of God, and the good of his oune soul; and I entreat you may doe me the favor to deliver the letter hearwith inclosed to my Lord Bischope of Ely, which is humblie ofered, both to put his lordship in mind of my brother's

unfortunat condition, and of my satisfaction for the great aplause and admiration his lordship's generous undertakings, with the other worthy bishopes of England, hes gained from all the world, which most needs be very loud wher it can be cleirly expressed, since, evin in this countrie, it meets with all the favorable comendation that the place is capable of, which I acknowledge is no great boast; yet, when all is given that can be, ther can no more be expected, and the unfortunat circumstances we are falen in amongst ourselves will at last render us yet far more despicable then before; for the zeal which some hes to ruine others, and the ambition others has to raise themselves, makes them so farr outrun comon measures of reason, they expose this poore remoat part of the kingdome to be ridiculed by all judiciouss men, and themselves, to the hazard of missing ther design; but God can turn all to good, and certainly he is now framing the world to some great design for his glory, and may it so appear as to draw all the world to his service.

I most ask your pardon for so much truble as I now give you, and I wish you may consider me as so far obliged by the corespondance you did for some time alow me, that I wish the continowance of it, that I may have ground frequently to assure you of my being, Sir,

Your most sincear friend and Servant,

Anne Erroll.

VII.—*Anne, Countess of Errol, to Dr Fraser.*

Slaines, 22nd Februar, 1689.

Sir,

Having got your letter of the 7th of Februar upon the 16th, I might before now have sent you my thanks for it, but my Lord Erroll's being very unwell about the time that the last post went from Aberdene, prevented my giving my self the satisfaction of that performance, and will I hope prevaill with you to excuse it. The news you was pleased to tell me was very surprisingly great, and I am glad that you propose my getting of them soon, as ane incouragment to continow the favor, since I am very confident that your letters, if directed to Slaines, will not fear of coming to me, for I am sure those you formerly sent me nent not wrong by mistake.

I sent a very long truble of this kynd to you about ten days agoe, and it uill please me extreamly to know that the misrepresentations I then mentioned hes got no footing with you, for they uere very industrously spread a while with every body that was belived to have any favor for me; yet I bless God it hes done me no harm hearabouts, and I hope it uill shortly uear away euery uther, but it did for some time vex me to get information of it from so many severall hands as uas pleased to tell me of it; and since my brother's condition does still more need the kyndness of his freinds, it is quite impossible for me to leav of my endeavors to help him, and much the rather that I find his misfortunes as yet coming rather from the efects of our old barbarouss feuds, then from his errors in the government, which treuly I shal not offer to vindicat in any he did as a papist; but, by all that ever I could learn, his conduct in every thing as a statesman (abstracting matters of religion) uas as blamless as any that has been great in Scots affairs of a long time.

The Prince of Orange his circular letters for the approaching convention is just now dispersing in this country; my Lord Erroll got his this morning. I pray God send it a good ending, for it is of great comfort, and I am mightily conserned for ther security that is to be at it, since I hear there is ane army of people about Edinbrugh that hes kept them in trouble for severall ueeks, and it is not yet perfectly understood uhat they would be at; but I am so much a coward as to be afraid extreamly of those wariours, if they come near a convention wher I most expect a great number of my friends to be.

Ther is also ane army of some hundreds of Highland men that hes threatned to come and destroy all my brother Perth's land. He is sending his two eldest daughters hear, uho is realy extreamly fine young ladys, and it shal be much against my uill if any of them ever be in hazard of being put in a convent, for I love them uell, and I hope they shal not be permited to goe abroad, though he says he designs they shall, but it most be prevented.

Iff my Lord Erroll had not been sikly of leat he had been or now at London, uher he might have made you betters ofers of his service then I can doe at this distance; but if any of us can doe you acceptably uhat may convince you of our sincerity, I assure you of our good will, and particularly of my oune, being

Your most humble Servant,

Anne Erroll.

VIII.—*Anne, Countess of Errol, to Dr. Fraser.*

Slaines, 22nd March, 1689.

Sir,

The generall complaint that uas over all this country for severall monethes together about the misscarying of letters, had the adition of regrate for the uant of some that uas designed for me; but I have now so much ground to hope that ther uill no more of such misfortune befall any corespondence, that I begin to use the ordinairie conveyances as formerly, and finds them so frequently sucseed as hes almost put me out of any apprehension of ther going urong; and I uish to hear that you are as much assured of it as I am, at least, I hope that very soon after your last letter (uhich I got this morning) hes come from you, that uhich I sent to tell you of my having got your former one hes come to your hands, which, if it hes done, I uill be in no more dout about that matter, till I get some suche reason to turn suspitious as I formerly had.

I know not what to think of my brother Perth's condition, for he does not uant very many that hes inclination to pity him; and I got a letter from Doctor Burnett, whom I doe belive by this time to be bishope of Salisbery, and so sends hearuith the ansuere of it under that title, uhich I intreat you may do me the favor to delivir to him, for his was so full of every thing that could be expected from the best of Christians, that I most keep that part of it only for admiration, and offer him my thanks for all that was favorable and obliging in it; for, though he could say nothing that could be beyond uhat I might expect from him, yet realy I most acknowledge it hes a great deall more of goodness and generosity in it then could be require I from any mortall, and I pray that God may reward his charity and piety as himself does desire, and that he may be convinced of my faithfull inclination to serv him, which I have ever had, from a sence of his great merit, and shall ever continow to have on that same account, with the adition of all I can add to it in graititud for so favorable ane obligation as I have receaved by his letter, which, my Lady Margret Hay tells me you was pleased to bring to her, and which I gave her the trouble of looking afteor, because I was not then certain of my letters either from or for you was fallen in any probable method of a safe conveyance, but I expect you uil alow me to give you the trubl

of hearafter, uhich I uil take as ane adition to your former favors, and endeavor to lett you see that I am not insensible of them.

What the Bishope of Salisbery is pleased to urite me of my brothers is all so just, and so like himself, that I have nothing to say more of it, nor can I disire him to doe any other thing in ther consern than uhat he hes shouen himself inclined to doe uithout my proposing of it, though, uhen I consider the provocation he got, it's very admirable to find him so favorable; and I doe sincerly declaire to yo, that to this hour, I know not how far they may have had a hand in the ill circumstances he uas in by that government they had the misfortune to be leading men in, for I did not hear thrice from my brother Melfort since he uent to stay in England, and it was both my Lord Errol's inclination and mine so much to keep ourselves from knowing uhat uas done in Scotland, that uee never uas in any capacity of hearing more of state affairs then we got from publick accounts of them, and I am not sure it uas not without much regrate uee heard of many things that uas done, and particularly the procedure against that worthy man, uhich I have many witnesses of my being so dissatisfied uith, that I drew on myself the censure of being criminall, and suspitiouss for my conduct in it; but for all this, I most still oune that I know not how far they had a hand in it, yet I belive it to have been as much as makes me exceedingly admire his generosity towards them, and leaves me no room to uish for more then I can hope for from him, on ther account and on my oune. I never had disire for more then that he should belive I had never altered from the esteem I had of him, and that he might consider me as one that should aluays retean ane inclination to serv him, ansuerable to the great character he had in the world, and the veneration I ever had for his great uorth.

It is very uneasie for me to think on the condition this country is in, for we have only as yet in this corner of it heard of the tuo first dayes of the convention at Edinburgh; and things hes so gloomy and so divided ane aspect, that I am sadly apprehensive of some great missfortune, nor is it to be doubted, for ther is so many privat quarels, and every man so much endeavoring to be uppermost, that it uill be a very hard matter to give our government queit for a uhile; and the common poeple are so sett on edge by ther hopes of relife from all taxes, that they nant but a litle of a disapointment to be on fire; and nobody knows whome to trust, for it is realy a very sad thing to consider how much

division and quareling does threaten some mischief to come upon us, if God of his mercy do not prevent it, which I earnestly pray that he may doe; and since my Lord Erroll went away to the convention I have been in the most extream consern in the world for fear of him, nor can I be at peace least he may be involved in danger, though I am sure he will never do anything himself to draw it upon him.

The ill circumstances Blair Drumond is in obliged him to come to this place and stay some days, it being a very peaceable part of the country, and far from any disturbance; and since he spoke very often and very kyndly of you, I hope it will not be unacceptable that I tell you of it; but since his missfortunes hes drawen so much odium and clamour on him, I most also to you, who hes ouned some freindship for him, endeavor his vindication from those aspersions that his being necessitate to retire gave a vent to, and I am sure there is none can know his caee better then I doe now, for I did most particularly enquire at him of every thing that ever I had heard to his disadvantage, and he did so suficiently clear himself of them, as did convince me of his inocence, and would, I am sure, done as much to any that had heard him; but for one instance, as to his taking of monye, he says if ever it be proven upon him that he took it, otherways then the place he had did require, he is content to loss all he hes in the world; and for all the many thousands of pounds that he is said to have gained unjustly, he says if he be this day two thousand pound richer then he was when he entred to publick employment, lett him fall in the former penalty, and loss his life to the bargan, and he might very well have gained that upon what was properly his owne; but if in everything he can be accused of he doe not as well vindicat himself, I know not what to say of it, for he has so far satisfied me of his honesty, that I cannot dout him, and I wish you may also belive him worthy of your favor, and very faithfuly your servant.

My brother Perth has sent his two eldest daughters hear, but ther is a French woman sent alongst with them, which I was not expecting; but our missfortune is such, wee know not as yet wher to get any advice in things of that kynd, for all about us is as confused as ever. They are extreamly good natured young ladys, but exceedingly lyable to all inconvenieneys that can attend the loss of a mother.

I have reason to ask your pardon for trubling you so much, yet shall

not dout of my having it, since I am sure it is meant with no ill intention from

Your most humble Servant,

A. Erroll.

I most expect your excuse for the confusedness of this letter from my condition at present.

IX.—*Anne, Countess of Errol, to Dr. Fraser.*

Slaines, 25th March, 1689.

Sir,

Though I have got two of your letters so soon hear that I have not great fear for the loss of any, yet I am not so sure if mine hes had all the success I uish them to have had, for I have not yet got any notice of your getting one of mine that mentioned my getting the first one you sent me affter my Lord Keith's coming to London, and that hes made me not venture all my stock at one fraught, but also try this conveyance by my Lady Margret Hay, to second uhat I urot to you last ueek, inclosed uith a letter for the Bishope of Salisbery.

I am sorry the Bishope of Ely hes left the court, for I uas in hopes he should have been my brother's freind at it; but since the Christian and generous cariage of the Bishope of Salisbery is so much to my satisfaction, I am fuly assured that he uill meet uith nothing ther that I can have reason to complean of, but my fears does sadly encreass, from the unruly divisions uhich are so greatly encreasing in this country; and since it is God alone that can prevent the ruine and desolation uee are threated uith, I pray that he may doe it, and bring every thing about for his glory, and the good of this nation, of uhich all the sober people are very inclinable towards England, but, in all apearance, ther is hot blood enough to hinder it for a uhile.

I filled up a sheet of paper so full of the consern of my freinds the last time I wrot to you, that I had not room for giving you any account of those papers you uas pleased to send me, and now I think I need only say that I know I uant a great deall more then I got; but I am not re-

solved to fill this paper with so needless trifles, as to mention all the false steps befell in that matter, and it shal suffice to tell you that, about a moneth agoe, I got nine books with marbled paper covers, of which two was guilded, but al of them so spoild, that I admired a while in whose hands they could have been; for, to this hour, I know not certainly who sent them hear, though I fancy them to be a part of those which Adair had the bringing doun of: but James Hay writes to me that he shall get me more certain notice concerning them, for it was one Alexander Hay, ane appothecary, gave them to some servants of ours that was returning home from having been a part of those forces the country kept on foot a while this winter, so it is needless to tell you in what ill handling they have been; but this is not to depriv you of the thanks I ow you, nor to endeavor your loss by doing me that favor; for, since injustice is a fault I wish not to be guilty of towards ane enemie, I should be sorry to make it the return wher I am very well content to owne a kyndness.

As for what came in paqets, I got ane account of the Inquisition at Goa, and the first part of Doctor Sherlo's Preservative against Popery, in two seeverall ones; and a while affter, my Lord Erroll being one night accidentilly by when the black box was opened, saw a letter which he knew to be from you, and stole it up, in which he found the paper in vindication of the bishops; but he was told about that time to advertise me that ther was some very curiouss papers kept up that you had sent for me, but, indeed, I never saw more of them then I have hear named to you, and I doe heartily regrate my want of them, for I was exceedingly pleased with those I had the good fortune to get, and you will exceedingly oblidge me if you will continow in that maner to give me so desirable ane intertainment, which I intreat you may alow me to mention as a thing I wish for, and yet not at your loss, though it hes wholy been so, for as far as it hes yet come; which I most reckon amongst my missfortunes, since I am sure it is none of my fault, for I am and shall ever be wiling, on all occasions, to approv my self

Your most real and most humble Servant,

Anne Erroll.

DOCUMENTS

FROM

THE CHARTER CHEST

OF

THE EARL OF AIRLIE.

1578–1682.

DOCUMENTS FROM THE CHARTER CHEST

OF

THE EARL OF AIRLIE.

I.—*Bond by John, Earl of Athol, and other noblemen, to Captain Patrick Cranstoun.*

We, vnder subscryvand, be the tennour heirof faithfullie byndis and obleissis ws, our ares and successouris, for the gude and thankfull seruice done and to be done be Patrik Cranstoun for the libertie and releif of our souerane the Kinges Maiesteis persone, to gif in zeirlie pensioun vnto the said Patrik and his spous, the langair levear of thame twa, the soume of ane hundreth merkis money, to be payit be ws and oure ares equallie to the said Patrik and his spous foirsaid zeirlie, indurying the spaice forsaid, and sall maik and gif vnto the said Patrik securatie vpoun the same als surlie as he can devyss, quhen evir we salbe requyrit thairto be him. In witnes quhairof, we haif subscryuit this present with our handis at Edinburgh, the last day of July, the zeir of God ane thowsand v^c^ threscore and auchtene zeiris, befoir thir witnes, Alex^r^ bischop of Brechin, John Campbell of Caddell, Thomas Stewart of Garntuly.

Atholl.
Argyll.
Montroiss.
Ogilvy.

II.—*Discharge by Captain Cranstoun to James, Lord Ogilvy.*

I, Capitane Patrik Cranstoun, be the tennour heiroff, grantis me to haif ressauceit realie and with effect, in numberat and laufull money, fra the handis of ane nobill lord, James, Lord Ogillvie, the sowme of ane hundereth merkis gude and vsuall money of this realme; and that in full and compleit payment of his part of my pensioun of ane hundereth merkis money, addettit be him and diuerss vtheris personis to me, specifiet in my letter of pensioun maid thairvpoun, off the termes of Witsounday and Mairtimes, in the zeiris of God jaj v^c foure scoir ellevin, foure scoire tuelff, foure scoir threttane, and Witsonday and Mairtimes, foure scoir fourtene zeiris, and of the terme of Witsounday last bipast in this instant zeir, foure scoir and fyftene zeiris, off the quhilk sowme of ane hundereth merkis money, in full and compleit payment of the said lord's part of my said pensioun, indureing the zeiris and termes *respectiue* foirsaidis, I hald me weill contentit, satisffeit, and payit, and for me, my airis, executoris, and assignais, exoneris, quitclames, and dischargeis the said nobill lord, his airis and executoris, of the samen, for now and euir, be thir presentis, subscriuitt with my hand as followis at Edinburgh the tent dai off Junij, the zeir of God jaj v^c foure scoir and fyttene zeiris, before thir witnessis: Williame Banchope, wretter, Williame Fleyming and Robert Banchope, and James Cranross.

I, Capitane Patrik Cranstoun, with my hand at the pen led be the notar vndirwritten, at my command, becaus I cannot wryte my selff.

Ita est Jacobus Cullan,
notarius publicus in premissis requisitus.

Williame Flemyng, witnes.
James Craneross, witnes.
W^m Banchope, witnes.

III.—*Letter, Sir William Ogilvy of Barras to James, Earl of Airlie.*

Apryll the 22, 1682.

My Lord,

I did intrust the mannagment of that affaire at court (quherof I have often spoken and vritten to your lordship) to my Lord Advocate,[a] and that vith your lordship's consent, and assurance of your assistance. I have bein alvayes expecting ane accompt of it from the advocate, and the bearer heirof, Jo. Clerke, my agent, hes bein still pressing for ane positive answer but can not have it, vhich prejudges me being uncertaine quhat I may rely on; so that I am necessitate to trouble your Lordship (tho' I thought not to have doen it) as too intreat your assistance and concurrence, for I know, at this instant of tym, your lordship can prevaile at court if you be villing, so that I shall not insist, being a vord to ane intelligent person is sufficient. My Lord, I expected one of the Clan Ronald hawks from you, for the last I got, after she ves a fowlslayer, I gave her back to you, and I expect assuredly this year one of them from your lordship, and if she does vell you may alvayes command me. Your lordship's servant, Alex^r^ Moorisone, told that there vas ane goosehawks eyrie at Clova, and that your lordship commands them yearly, so that I intreat for ane goose hawke; and if your lordship doe promise ane falcon for ony field sport to any person at south, howsoon my hand is filled with ane gooshawke, because I cannot altogether vant ane hawke for partridging, then you may have my third hawke, vhich is exactly ane fowlslayer, for she hes slain at brooke vith my vther hawk these three yeares, and knowis ane fowle, and helped to kill severalls, but hed litle gate. I recommend my affaire to your lordship, and expectis you vill move therin and cause the advocate doe so, and let me have ane positive answer that I may rely on, vhich is the most earnest an humble desyre of,

My Lord,

Your Lordship's most faithfull and ever vell vishing humble Servant,

S. W. Ogiluy, Barras

[a] Sir George Mackenzie.

IV.—*Draft of a precept by King Charles II., for expeding a letter under the Privy Seal, in favour of Sir William Ogilvy, Bart.*

Our Soveraigne Lord takeng into his royall consideratione the eminent services done and performed by his Maiesties now deceast lovet Sir George Ogilvie of Barras, knight baronet, in that he was eminentlie instrumentall in the preservatione of his Highnes crowne, sword, and sceptre, the ancient honoures of this his kingdome of Scotland, and the damnage sustained be the said Sir George Ogilvie therthrow from the begining off the usurpatione, dureng which tyme, notwithstandeng of all temptationes and threatnengs used aganist him by the usurperes, he caried himselfe with so much integritie, that his Maiestie dothe graciouslie conceive he deserves ane marke of his Highnes favour to be putt upon his familie, doeth, therfore, ordaine ane letter to be mad, past, and exped, under his Maiesties privie seall of his ancient kingdome of Scotland, makeng, constituteng, and appointeng, lyke as, his Maiestie, be thir presents, makes, constitutes, and appoints Sir William Ogilvie, knycht baronet, his onlie lauchfull sone, dureng all the dayes of his life-tyme, master of his Maiesties hawks, chieff huntsman, and master of the royall game within the said ancient kingdome off Scotland, with power to him, dureng the said space, to use and exerce the said places and offices, with all priviledges, causualities, fies, profits, and commodities whatsomever, that ever did or that may heirafter belong to the samen. And to the effect that the said Sir William Ogilvie may be the more inabled to kepe and entertaine servants, haukes, and hounds, with horse for his Maiesties service and royall sport forsaid, his Maiestie ordaines and settles upon the said Sir William Ogilvie, dureng his life time, as said is, ane fie and sallarie off pounds sterling money, to be payed to him yearlie out off the first and readiest off his Maiesties rents, revenues, customes, and casualities whatsomever, present or to come, providing, lyke as, it is heerby speciallie provided and declared, that, notwithstandeng off this gift, all noblemen, gentlemen, and heretours shall have libertie to keepe and make use off hawks and dogs for ther sport as formerlie, and his Maiestie heerby requires that the said letter be furder extended in best forme with all clauses necessar. Given att

DECREET

OF

THE SYNOD OF PERTH,

IN THE CASE

BETWEEN WILLIAM, BISHOP OF ST. ANDREW'S, AND DUNCAN DE ABERBUTHENOTH.

A.D.—M CC VI.

DECREET

OF

THE SYNOD OF PERTH.[a]

A.D.—M CC VI.

Decreet of the Synod of Perth in the cause betwixt William, Bishop of St. Andrew's, and Duncan de Aberbuthenoth.—A.D. M CC VI.

Patricius de Dumfermelyn et Henricus de Aberbroth Reimbaldus de Scone, et Gunido de Lundores abbates, et Thomas de Sancto Andrea, et Johannes de May, et Berengarius de Rostinoth priores, et Ranulfus archidiaconus de Sancto Andrea, et decani et clerici qui interfuerunt sinodo apud Pert, tercio idus Aprilis, anno ab Incarnatione Domini, m°· cc°· vi°·

Omnibus has literas visuris vel audituris eternam in Domino salutem Noverit universitas vestra quod causa que vertebatur inter Willelmum bene memorie episcopum Sancti Andree ex una parte et Dunecanum Aberbuthenoth ex alia parte super terra de Aberbuthenoth que appellatur Kirketun quam idem episcopus ad ecclesiam Sancti Andree de jure spectare dicebat qua etiam predictus Duncanus eandem ecclesiam pretermisso juris ordine spoliavit ut asserebat finem legittimam in hunc modum auctoritate sinodi generaliter est sortita scilicet quod audita propositione juris quod idem episcopus in predicta terra se habere dicebat audita etiam contradictione partis adverse per testes omni exceptione majores veritate plenius inquisita et cognita communi assensu

[a] [From a copy at Panmure, made from the original at Arbuthnott House.]

omnium qui intererant sinodo diffinitivam sententiam promulgavimus tam possessionem quam proprietatem ejusdem terre et hominum qui in ea manserunt ecclesie Sancti Andree et eidem Willelmo episcopo adjudicantes et prefato Duncano et successoribus suis perpetuum silentium imponentes. Et ut processus negotij plenius possit innotescere attestationes quarum auctoritate predictam sententiam protulimus inferius scribi dignum ducimus. Sunt autem hec attestationes.

Johannes de Hastinkes juratus dixit quod tempore episcopi Ricardi et tempore Hosberti Olifard qui tunc temporis habuit terram fuit vicecomes et forestarius de Moernes vidit multitudinem Scoloccorum in terra de qua est contentio scilicet Aberbuthenoth et quod si homines illius terre in aliquo quod spectaret ad vicecomitatum vel forestariam vexarentur ballivi Domini episcopi veniebant ad eum cum brevi Domini Regis et fidejubebant pro eis sicut pro hominibus episcopi et ad curiam episcopi.

Ysaac de Banevin juratus dixit quod tempore Osberti Olifard et Hugonis episcopi cum idem Osbertus crucc accepta vellet proficisci Jherusalem accepit ad firmam ab Osberto tanquam a domino terram de Aberbuthenoth quam Dominus Rex ei dederat cum toto jure suo pro servitio suo et tunc fuit Kirketun bene edificata vidit octo terram tenentes qui dicebantur persone et alias sub eis habentes domos et animalia in paseuis. Cum quereret quid juris haberet Osbertus in villa illa respondit sibi debere decem caseos de qualibet domo de Kirketun quales possent fieri sine diminutione lactis xv. diebus proximis ante festum Sancti Johannis Baptistæ vel post et ad bladum suum colligendum in autumpno semel de unaquaque domo tres homines Retulit etiam predictum Osbertum sibi dixisse quod homines de terra de Kirketun [ ] et viatico in expeditione Domini Regis cum hominibus suis. De molendino cum quereretur respondit eos haberi molendinum qualibet die veneris sine multura Cum autem idem Ysaac vexaret eos volens eos sibi teneri eadem consuetudine molendi quam alij tenebantur quasi scilizet homines Osberti tenebantur ostenderunt ei locum ubi prius habuerunt molendinum in terra sua et quod potestatem habuerunt re-edificandi molendinum ibidem. Quod cum didicisset composuit cum eis videns quod sibi non expediret quod cum eis contenderet cum eos tueretur episcopus [quasi homines] suos. Cum autem idem Ysaac quereret ab eodem Osberto quid juris haberet vel in terra vel in possessionibus eorum respondit se nihil juris habere in Kirketun sed omnia esse in dispositione episcopi tanquam de terra

propria ad conferendum terram et domos cui vellet. Et cum unus nomine Gillandres unipes esset ei magis rebellis alijs credens eo amoto se alios pro voluntate sua posse tractare optulit episcopo Hugoni equum v marcarum ut eum amoveret Audito vero quod nativus esset de terra respondit episcopus quod nullo modo faceret. Asseruit etiam idem Ysaac quod per sex annos per quos terram illam tenuit nec tempore Osberti nec tempore Walteri qui ei successit aliquid aliud preter predicta recepit et medietatem blodwitorum et merchetorum et aliam medietatem recepit episcopus ut de hominibus suis Retulit etiam quod vidit seneschaldum Domini episcopi et alios tam clericos quam laicos de hominibus episcopi hospitari iu terra illa et apud illos homines tanquam proprios homines et in terra propria Asseruit etiam quod Walterus Olifard postea dedit terram suam de Aberbuthenoth Hugoni Swintun pro servitio suo et quod idem Hugo post obitum episcopi Hugonis mortuo Gilandres Scoloccos plures de Kirketun amovit unum post alium. Dunecanus filius ejus alios omnino amovit quos post obitum patris sui invenit. Dixit etiam idem Dunecanus amotis scoloccis incepit terram illam colere.

Adam de Banevin juratus dixit idem per omnia quod Ysaac avunculus ejus nisi quod dixit hoc factum fuisse tempore Ricardi pie memorie episcopi Sancti Andree.

Magister Ysaac juratus dixit quod ante consecrationem Rogeri episcopi pie memorie missus fuit per episcopos de Catenes et Moravia et Ros ut venirent ad consecrationem hospitatus est cum Helia sacerdote de Aberbuthenot et vidit ibi complures domos prout dicebatur in terra episcopi tempore istius Dunecani nec audivit dici quod aliquis thanus posuisset carrucam in terram illam antequam iste poneret Cum autem veniret ad Walterum Scottum in extremis laborantem ut hujus rei veritatem inquireret tanquam de homine veridico et in hijs perito et supplicaret ut pro salute anime sue ei hujus rei veritatem secundum conscientiam suam exprimeret respondit se plurimum admirari quod iste Dunecanus vellet istam terram Domini episcopi sibi appropriare et ibi dominium sibi vendicare cum in tempore viii thanorum vel plurium vidisset eam esse propriam Domini episcopi Sancti Andree Asseruit etiam se vidisse ibidem plures episcopos pluries hospitatos fuisse et cum eis comedisse et a domo suo exennia misisse et quia vidit mortem sibi imminere ista in scriptum redacta ut alias testimonium suum locum haberet sigillo suo coram uxore sua signari fecit.

Felix juratus dixit se vidisse tempore patris sui episcopos pie memorie Arnaldum et Ricardum hospitatos fuisse pluries apud Aberbuthenot in terra illa tanquam in propria in domo patris sui qui terram tenebat ab episcopis et ministrabat ipsis episcopis necessaria cum scoloccis ejusdem terre qui tum pertinebant ad terram illam Vidit etiam seneschaldos et tam clericos quam laicos de hominibus episcopi ibidem hospitatos fuisse itinerando ut in terra propria Domini episcopi Sancti Andree Dicit etiam quod vidit tresdecim thanos terram illam habuisse sed nullum inquietasse homines de Kirketun usque ad tempus Ysaac. Et quod episcopi Sancti Andree possiderunt pacifice terram illam soluto debito cano thanis usque ad tempus Ysaac de Banevin qui primus incepit vexare homines illius terre Post eum asserit Hugonem de Bene et presentem Duncanum amovisse nativos et scoloccos de terra Dicit etiam quod nullus thanus terram illam coluit nisi per episcopum preter istum Dunecanum.

Hathekin sacerdos juratus dixit se vixisse temporibus sex episcoporum et usque ad tempus patris istius Duncani episcopos Sancti Andree pacifice possidisse terram illam de Kirketun. Dicit etiam se bis cum Ricardo episcopo et semel cum episcopo Arnaldo ibidem hospitatum fuisse. Asserit etiam quod per vexationem patris istius et per vexationem illius homines terre illius a terra illa amoti sunt et quod nullus terram illam excoluit priusquam iste nisi auctoritate Domini episcopi.

Mauricius sacerdos juratus dixit se vidisse episcopum Ricardum in terra et homines illius terre ei necessaria ministrasse tanquam Domino dicit etiam patrem istius et istum et Hugonem de Benne nativos et scoloccos a terra illa amovisse et istum terram coluisse.

Hugo seneschaldus juratus dixit quod vidit episcopum Ricardum temporibus Malcolmi Regis Scottorum hospitatum in terra illa tanquam in propria fuisse et homines illius terre ei necessaria ministrasse tanquam Domino et cum eodem episcopo ibidem tunc temporis fuisse Requisitus quis primo nativos amoveret dixit se nescire sed hoc asserit pro certo quod nullus antequam [ ] terram illam excoluit preter episcopum.

Andreas de Bas juratus dixit se fuisse cum Hugone episcopo pie memorie fratre suo quum episcopus ibidem tanquam in proprio hospitatus est et de hominibus illius terre sicut de hominibus suis necessaria re-

cepisse et munera in recessu suo in crastino. Dicit etiam se in temporibus episcopi Rogeri pie memorie se ibidem recepisse redditus episcopi scilizet duas gilvas vaccas nec loquutus est cum Dunecano vel cum alio nisi cum hominibus episcopi inde. Asserit etiam quod Duncanus post tempus episcopi Rogeri ex toto scoloccos amovit et terram illam preter episcopum coluit primus.

Bricius persona de Neudonase juratus dixit quod vidit episcopum Ricardum et episcopum Hugonem in terra illa tanquam in propria conevetum suum ab hominibus illius terre recipere tanquam ab hominibus proprijs et quod homines illi nativi licet essent vexati per Hugonem de Ben et per alios post tempus episcopi Rogeri per Dunecanum sunt amoti et quod primus terram illam excoluit preter episcopum.

Gillipedes juratus dixit quod vidit episcopos Sancti Andree Robertum Arnaldum et Ricardum hospitatos fuisse in terra illa tanquam in propria et conevetum suum sine omni contradictione tanquam ab hominibus proprijs recepisse. Asserit etiam homines nativos illius terre per vexationem Hugonis Suintun et Hugonis de Ben et istius Dunecani a terra illa fuisse amotos et istum Duncanum primum preter episcopum terram illam coluisse.

Malcolmus de Edivin juratus dixit se non vidisse sed audivisse a predecessoribus suis episcopos Sancti Andree jura sua a predicta terra habuisse juxta sermonem priorum.

Cormac de Neudoese juratus dixit se vidisse episcopos Ricardum et Hugonem ibidem conevetum suum tanquam in terra propria et ab hominibus proprijs recepisse et per vexationem Hugonis de Ben et per patrem Duncani et Dunecanum homines amotos esse et istum Dunecanum terram illam arasse primo.

Sumerleith de Fetherhesan juratus dixit se vidisse episcopos Arnaldum et Ricardum ibidem tanquam in proprio sine contradictione esse et istum Duncanum primo preter episcopum terram illam coluisse et dixit quod episcopus Rogerus per paupertatem eorum in quodam itinere suo conevetum suum omisit accipere et quod homines amoti fuerunt per vexationem predictorum trium scilizet Hugonem de Ben et Hugonem de Suintun patrem Dunecani et ipsum Dunecanum.

EXTRACTS

FROM THE

COURT BOOKS OF THE BARONIES

OF

SKENE, LEYS, & WHITEHAUGH.

1613 – 1687.

EXTRACTS

FROM THE

COURT BOOK OF THE BARONY OF SKENE.

1613-1633.

The court of ane hono[rabill] man, A[lexander] Skein, haldin within the hall off Badindodill wpon the viij. day [of] October, ane thousand sax hundreth and threitin zeiris, be Androw Skein in Auchqurie, his bailze for the tyme, Rob^{t} Skein, officiar, Alex^{r} Yowng, clark, Jhon Sereld, dempster.

The said day, it is decernit that all men that baid avay fra the stain is decernit to pey xx.sh. the taxmen that ocupeis ane pleuche, and everie cottis and croftis men, v.sh. wiz.: James Aiddie, James Moreis.

The said day, it is decernit that all cottis and croftis men and girs men sall pey to the gangaris for the myll stain in tymes cuming, ever ilk ane, xij d.

The said day, it is decernit that the tenentis of the haill grounds sall convein vpon Tuisday, to tak order with the mill, wnder the pain off xx.sh.

The said day, it was ordanit and actit be the laird and the bailzie, that quhatsumeuer he be that impungis ony manis aith, or callis him mansworne, that he sall pey to the laird tene pound, and als mekill to the pertie offendit, or satisfactioune for the iniurie done.

Nov^{r} 30, 1614. The said day, it is appointed that the barlamen sall gang to Cragidarge, and ther sall sicht the persones that ar infamous, to wit, that hes not kell and peitis sufficient, thei ar ordained ther houses to be cassin doune and to be removed, or at lest ther masteris to bind for them, that, incaice they be challenged heirefter be way taking ather peitis or kell, ther masteris sall rebate ther skaithe.

The barla curt of ane honorabill man, Alex^{r} Skene, vpon the xxviij. of Februar, 1615, &c.

The said day, it is ordanit be the laird and the balzie, that all the ald actis that beis not put to executionn sall be anullit heireftir and haif no fayth; and lykwayis, that no man sall be hard to complene for no pryce, corne, calf, meill, foll, corne, and all siklyk actionis, for all tyms bypast, preceiding this present day of this moneth of Februar, 1615 zeiris.

July 25, 1615. The said day, it was actit and ordaned be the laird and balzie, that quhatsumeuer maister he be in the ground that dingis his servand, that he sall pey tene pound to the laird; and giwe that ony servand gif his maister ony iniwrious langage, the laird sall tak vp thair fie; [ ] and siklyk, euerye servand that dingis ane vther, four pound.

The bailze court of ane honorabill man, Alex^{r} Skene, &c., July 25, 1621.

The quhilk day, the laird requeirit full payment of his meill and malt fermes, croipe 1620 zeiris, fra the persones eftir folloving: In primis, fra Gilbert Logie, thre bolls ane firlot les, meill, crope 1620 zeiris. Item, ane boll tua pecs beir, croipe foirsaid, &c.

Nov. 2, 1625. The said day, the bailze heiring of the gryt trubill and discord betuin the laird and his tenantis anent the waytaking of doris at thair remowing, for remeid in tyme cuming thairof, with consent of the

haill tenantis, the bailze decernit and ordanit that, in all tyme cuming, that na remowand tenant tak not away na doris frome thair biging except inner doris, and giff thay pruiff ony doris to be thair awin, the laird is ordanit be the bailze to pey thame for the samyn.

July 24, 1627. The said day, the lard coumptit and raknit with the haill tenentis of the barronie of Skein, ilk ane according to thair awin perticular coumptis, as is perticularlie wreatin in ane scroll; and becaus thay peyit not in thair wituaill to the girnall, the lard of the ground forsaid protestit for the hiest prycis for thair rest wituall, gif it was not peyit befor Lambes.

The said day, anent the complent giffin in be the lard anent firholling in the mose of Skein, and for making of hollis in the said mose, and abuissing the samyn, the bailze forsaid tuik the aithes of the haill tenentis, and in speciall, W^m^ Edvart in Letter and W^m^ Thomsone in Tillivall; Androw Mani in Auchloche, James Mani thair, Allex^r^ Mani in Auchloche, Robert Edvard thair, Allex^r^ Mani, cotter, refuissit to gif thair aithe, and confessit the holling and selling of fir, and confessit lykwayis the transgraicing of ane formoir ac anent firholling; wppone the quhilk confessioune, the bailze forsaid decernit and ordanit ewerie ane of the formoir tenentis to haue fallin in ane brak of the foirmoir ac, and decernit and ordenit ewerie ane of the saids tenantis to pay the sowme of ten libs. money, to be peyit within terme of law, wnder pain of poynding.

The bailzie court of the barronie of Skein, haldin within the hall thairof wpon the nyntein day of Junij, 1 m. vi^c^ tuentie nyn zeiris, be Allex^r^ Forbes in Milnbowie, [bailze] of the saids landis, perteining heretabillie to the rycht honorabill Allexander Skein of that ilk, proprietor thairof, James Cuschnie, nottar publik, court clark, W^m^ Hunter, officiar, W^m^ Gillespe, dempster, the suittis callit, memberis admittit, and the court lawfullie fencit and affirmit, and no opositioun maid in the contrair hereof.

The said day, Elspet Wat is amerciat in ane vnlay of fourtie sh. monie. for birning of the laird's peittis and his houss.

Item, Thomas Philp confessit the birning, Allex[r] Edward and his wyiff deponit that they brunt nein, John Grant vas absoluit be wertew of his aith, &c.

Nov. 11, 1629 The said day, coumptit with Allex[r] Williamsone, quha was restand, be his awin confessioun, ten bollis meill of rest meill and bocht meill, at xij libs. ilk boll, to crop 1628. Item, twa stain of butter, at vi. libs. Item, iij. libs for vi. geis. Item, iiij libs. of teynd siluer, for the crop 1629. Item, 5 merkis of viccaredge siluer for the said zeir. Item, l. sh. of augmentatioun. Suma of the haill extendis to sewin scoir four pounds xvi. sh. viij. d. &c.

Nov. 6, 1632. The said day, it is statitut and ordeanit in all tym cuming, that the haill tenentis within the grond sall cum in daylie to the laird's service zeirlie, at vi. hours in the morning, and quha failzies thairin sall pey to the laird fyw lib. *toties quoties*, quhairvpon act was tain.

The said day, the bailzie forsaid ordeanis the haill tenentis within the barronie to pay and delyuer to the laidis thair haill custom lining clothe, both for zeiris bygain and this zeir 1632, betuix the dait heirof and the Rudeday nixt, failzeing ten sh. for ilk eln, quhairvpon act was tain.

July 27, 1633. The said day, it is statitut and ordeanit in all tym cuming, that quhatsumewir tenent, cotter, girsman, or crofter happinis to sell beair or aitis, or to gang to uther milns with thair corns, in defiance of the millar, ilk person contraveinar sall pey to the millar dowbill multer, the millar being abill to gif tham sufficient service; and gif the millar beis not abill to gif tham sufficient service, they to be free of anie multeris or knevschip, quhairvpon act was tain.

COURT BOOK OF THE BARONY OF LEYS.

1636–1674.

The barrounne court of the barrony of Leys, hauldin in the dualing hous of George Thome in Banchorie, wponne the xxv. of Appryl, 1621 zeirs, in nam and behalf of the richt honorabill Thomas Burnet of Leys, and in name of Thomas Burnet, elder, in Brathinche, his bailzie, James Thomsoune, notar, clerk, W^m^ Kellie, James Straquhan, and Dauid Stirat, officiars, Dauid Duncane, dempster; the suits calit, the court laufullie fensit and affirmit.

The said day, the laird and bailzie decernis and ordeanis the haill tennents and occupiars of the laird's lands, from Inuerie and Banchorie, eist of the barrony of Leys, with the lands of the barronny of Tilliboy, and the lands on the eist syd of the mos, zeirlie, and ilk zeir, to wirk thair irne wark with James Smyth in Hairstaine, and to pay to him thair smydie boll zeirlie. Lykas, the said James obleidges him to wirk to ewerie of the saids tennantis dilligentlie and sufficient, ilk ane in thair awin rowmes, as he salbe imployit; and incaice it salbe fund tryit that the said James be slewthful or remis thairin, or refuis to do his dewtie to ilk ane of the saids personis, as he salbe imployit, in that caice the said James sall repey to the pertie quham he sall refuis or disapoynt in his service the dowbill of that man's boll. And sicklyk, that pertie quha is be him manner forsaid salbe libertie, and to gang to ony wther smyth they pleis thairefter.

Nov. 8, 1621. The said day, it is statuit and ordeanit be the laird and bailzie, with consent of the haill tennents that pays service to the mainse of Pettinkeirrie, that ewery persone or personis quhatsumeuer that dissobeys to cum in dew tyme to thair service in the said mainse, as they salbe requyirit and wernit be the officiar, sall amit and tyne for ilk servand that salbe abstractit fra the said service ane day, ane pece of thair service meill, and for ilk hors ane dey, twa peces of thair service meill; and that by and attour all penultie set doun abefor in former acts for dissobedience to the said mainse, or for wther careags.

The said day Jon Cambell is creat pundlar for keiping of the new wards and zoung woods in Leyis; and it is statuit and ordeanit that the said Jon sall poynd for ewere man, womane, hors or nolt that is apprehendit within the said dyks, iijsh. iiijd.: and for ilk scheip aucht penneis *toties quoties* how oft they be apprehendit.

June 3, 1622. The said day Allexander Cowpar is maid, creat, and ordeanit pundlar within the hainings off the lairds haill young woods about Crathes, &c.

May 29, 1623. The said day, James Patersoune being laufully convict in deforsing of Jon M'Ky, officiar, in taking bak frome him ane hors being laufully poyndit; and thairfor the bailzie forsaid decernit the said James to pay to the laird the sowme off fourtie punds money; and lykwayes ordeanit the said James to sit tuentie four hours in the stockis for the wrang forsaid, quhairwpoun dome was giwin, and ordeanit his haill guids and geir to be escheit to the laird, conforme to the act of parliament.

Nov. 6, 1623. After a decision against various individuals for "cutting of the lairds greine wood," by which they are "decernit to pay to the laird ane vnlaw, conforme to the act of parliament," there occurs the following:—

The said day it is statut and ordeanit in all tyme cuming, that whasoeuer within this barrony salbe tryit burne dry wod, salbe declairit to be als giltie as they that cutis grein wod, and salbe punesehit thairfor as cutters of grein wood.

April 15, 1624. The said day it is statuit and ordeanit be the laird and bailzie, with commoune consent of the haill tennents conveinet for the tyme, that whosoeuer salbe tryit to pick lothe thair nichtbours hors, (albeit thay be fund in thair skayth) quhairby the hors salbe vnable to eat thair meit, sall pay to the pertie awner of the hors, the pryce of the saids hors as he salbe compryssit, and that by and attour the said hors.

June 2, 1625. The said day it is statuit and ordeanit be the laird and bailzie, that it sall not be leifsum to na husbandman within this barrony that sall happin to flit frome ane rowme to ane wther in ony tyme heireftir, to tak doune, transport, or away tak any mair houss calit taills, bot tua taills furth of ane pleuche, ane taill aff halff ane pleuche, and ane cotter or greas man ane taill; and whosoeuer transportis any mair aff thair labouring nor the number aboun wreattin, the pertie contraveiner sall pay to the laird tene punds money for ilk taill thairoff that he taks away mair nor the said number.

Nov. 4, 1625. The said day Thomas Duncane in Invercanny, and Allex^{r} Duncan his soun, being convict be ye inquest of ane assyse, in hurting, wounding, and blood drawing of Allex^{r} Craigmyll; the said Thomas is decernit to pay fourtie punds to the laird within terme off law, and to ward till the samen be payit, with fyve li. of sythment to the pertie.

Jan. 24, 1626. The said day it is statuit and ordeanit be the laird and bailzie, that quhatsoeuer husbandman beis fund absent from ony vapinschaw, he sal pay fourtie schillingis *toties quoties;* and euerie coatter and girsman sal pay tuentie schillings, and euerie hyerman ten schillings, and that *toties quoties* they be fund absent.

Jan. 25, 1626. The said day the absentis from the wapinschaw ar actit as followis, *viz.*:—James Hunter, the wnlay, of 40s.; Johne Couttis, for 10s.; Williame Grant, 20s.; Thomas Findlay, 10s.; Johne Clark, 10s.; Androw Tailzeour, 20s.; Rob^{t} Fillan, 10s.; James Fudas, 10s.; Allex^{r} Duncane. 10s,; Androw Craigmyle, 10 s.; and ordaines the husbands to pay for thair hyremen.

Item, mair, Thomas Ga, 10s.; Thomas Dolas, 10s.; Thomas Burnet, 10s.; Johne Burnet, 20s.

Nov. 6, 1628. The said day ane kewill being cassin, quhilk of the twa grounds beginis to pay thair pultrie and capones, it is fallin on the wast ground for this present yeir, the east grond the nixt yeir; and in all tyme cuming to kepe this ordour, ewery ground thair yeir about; with this provisioune, that quhensoewer the lairds servant quha beis apoyntit for vptaking heirof, begining at ane end of the ground, the tennentis quha hes not thair pultrie and capones, everie ane in thair awin seasone, in redynes of sufficient geir, in ordour as befallis thame, sall pay the lowbill thairof.

Nov. 7, 1628. The sewint day of November, ane thovsand sax hundreth tuentie and aucht zeiris, it is decernit be the laird, that if ony of his ground be found hounding his nichtbouris scheip vrangouslie efter the cornis be within the dyk, the hounder sal pay to the compleaner half ane merk, *toties quoties* he salbe found hounding thame.

The sewint day of November, ane thovsand sax hundreth tuentie and aucht yeiris, it is decernit be the said sir Thomas Burnet of Leyis, knycht, that giw ony man of his ground, ather husband or cotter, brew ane fir[lot] of malt to sell from the ane zeirs end to the other, the brewer sall assuiredlie pay ane steane of tallow within terme of law, wnder the paine of poynding.

Nov. 5, 1629. The said day Thomas Burnet in Brathince, Alex[r] Forbes thair, and Andro Burnet in Pittinkerrie, ar ordanit as haiffand power of the laird to tak ordour with all flytters and bakbytters as they find the fault, and to be put in the stoiks quhill peyment be maid of fourtie sh., conforme to the ordinance set doun be the laird.

July 29, 1631. The said day it is statuit and ordeanit in all tyme cuming, that whatsoeuer persone or persones salbe fund absent fra any court, being laufullie warnet thairto, and iff any complent salbe giwin in against the persone absent being laufullie warnit as said is, the said bill or complent salbe haldin as confest, and decreit giwin against the person absent for payment of the clame; and that by and attour ane vnlaw for

thair absence, except the said pairtie absent send ane sufficient excuis to be proponit be sum of thair honestest nichtbours in the said court.

Jan. 21, 1634. The said day it is statuit and ordeanit, that whatsumeuer brouster within the grund sall recept or sell aill to any of the lairds domestik servands, sall pey tene punds to the laird, *toties quoties* how oft thay sall contraveine this present act.

Feb. 25, 1636. The said day it is statuit, that ilk miller sall bring in the fermes within thair suckin to the girneris for the crope 1635, or thane to pay the said fermes thame selffis.

June 25, 1636. The said day, fforsameikle as anent the gryt abus and skaith doune be fyr, burning firr stoks, and greine eird, for the better holling and winning of firr in the comonties and comoun moiss, betuixt the leard of Leyes and the laird of Drume, thir diwers and many yeires bygane, and speciallie this present yeir, being ane traid altogither vnprofitable and prejudiciall to the tenendrie for tymous labouring of thair possessiones and vthers profitable exercises, ffor remeid quhairof and staying of lyk abuses in tym coming, the laird of Leyes and his bailzie forsaid, with consent of his haill tenents within the barony of Leyes, hes statut and ordainit that ilk tenent within the barony of Leyes, maist eweis and narest the comountie and comoune moiss forsaid, desist tham selffes, thair serwents, cottars, and grasmen, from all holling of firr in the comountie forsaid: as lykwys hes ordainit tham that they stop, hinder, and imped all persones, ather tenents, cottars, or grasmene dwelling neir the comountie within the laird of Drume, his land, or vthers persones quhatsumewir, within quhatsumewir vther lands thairabut, from holling ather of tries or firr stoks within the comonties abou vritin, with powar to them to poynd any persone or persones quhatsumewir that beis culpable, the raideist guids and geir for the tym thair quhair they ar fund holling the tries or firr. Lykas, the bailzie forsaid hes discharged, and he wertew heirof dischargis the haill tenents within the lairds awin lands and barony of Leyes in all tym coming, from any holling of firr or carieing the sam to Aberdeen to be sauld; and gif they, or any of them hapins to win or holl ony firr within thair corne rigs or proper peit myr banks; that they sell the sam onlie to their nichtbouris

within the ground that wants the comouditie of firr in thair moiss and proper labouring, for the quhilk it is appoyntit that the seller of the firr forsaid sall haw from his nichtbour four shillings for ilk laid of win firr; and giff the nichtbour that wants hapnis to holl within the propertie and bounes forsaid, that they sall pey to the possessour of propertie twa shillings for ilk laid they sall win, and ordaines ilk tenent to be counpttable for his cottars and grasmen; and quhasoewir contraweines the ordannances abow writtin, sall pay ane wnlaw off tenn punds, *totiès quotiès* they be fund guiltie.

July 4, 1636. The said day it is statut and ordained be the bailzie forsaid, that the four tenents in Caniglerich, ilk ane of them sall labour and manur thair pairts of the towne and lands of Caniglerich that was sighted, cawled, and laid by to them be the barlamen, and oursight of the bailzie, and that nain of them sall interupt his nieghbour in the peacible bruiking and labouring of his awin proper pairt of the town, nor imped his catell in eating the grass theroff; and quhosoewir contraweines the ordinance, sall pay ten libs., *totiès quotiès* within term of law, vnder the pain of poynding; and sicklyk that nain of the tenents forsaid sall interupt his nieghbours guids in loning and pasturing, as the samyne was mithed and merched be the barlimen, and that vnder the pain of the wnlaw forsaid.

Jan. 26, 1637. The said day the haill tennents within the said barrony that sall happin to be fund restand any peittis or ffyir that aught to be caried in to the lairds bairnes in Aberdeen for bygaines, or that sall nocht be caried in to thame in dew tyme in all tyme cuming, sall pay for ilk laid of peittis and ffyir ourheid the sowme off fourtie shilingis money; as also it is statuit and ordeanit, that whatsumeuer fyir any off the saids tennents sall happin to carie to Aberdeen to thair awine vse, salbe takin frome thame and giwin into the said bairnes chalmerer into the colledge.

The said day it is statuit and ordeanit, that all the tennents within the said barronny that hes any sklaitis at thair awine houss, sall bring the samen to the plaice of Leyis within fourtie aught hours, wnder the paine of tene punds, as that thair sall no tennent in tyme cuming be fund to lay doune any sklaitis at thair awin houss at na tyme heireftir, bot sall

bring the samen derectlie frome the quarrell to the plaice quhair they ar appoyntit to be laid doune to the lairds vse; and incaice any persone or persones sall contraveine this present act in tyme cuming, sall pay for ilk laid thairoff the sowme of tene punds money; as also ilk man that dissobeys to go to the sklaithill quhen thay salbe warnit thairto, sall pay x lib. for ilk dissobedience.

July 5, 1639. The said day the hail tennents of the barronrie of Leyis, vith the hail husbandmen of the barronrie of Tilleboy and Canneglerach, ar decernit be thair awin confessioune to be in the pairt apoyntit be the lard of Leyis, elder or younger, in tua or thrie hours space in ony pairt of the lards avin bounds, for haldin out the heilandmen, for spoyling ther awin guids in proper personis themselffs, wnder the paine of tuentie pounds to be payit vithin thrie dayis therefter, wnder the paine of poynding; as lykwayis the hail husbandmen of Banquhorie and Inverie, with the hail vast ground of Petinkerie, Brathinches, Tillihaikis, Slovis, Borrovstonne, Coardo, and Tilledrynis.

Lykvayis the hail cotters and girsmen of al the forsaidis lands arr decernit to meit at the pairt apoynt for that same effeir, vnder the paine of ten pounds to be payit within thrie dayis, vnder the paine of poynding.

Lykvayis, if ony of the husbandmen that hes ony of the lards gunnis or muskats, and bring them not out at the meiting to defend the ground, they sal pay tuentie pounds immediatlie for the gunn.

Feb. 6, 1640. The quhilk day it is statuit and ordeanit, that the haill tennents within the barrony that receawit fra the laird ather muskets or pickis, sall bring in, restoir, and redelyuer back again to the laird, ilk ane for thair awine pairtis *respective* ewerie musket, with the rest, and bandileir, alse guid as thay receauit the samen, betuixt the dait heiroff and lambes to cum, in this instant yeir, or thane tualff punds for the peice thairoff, and for ewerie pick thrie punds sex sh. viij d.; and the officiar ordeanit to poynd for the samen incaice of failzie.

August 5, 1640. The said day the hail tennents in the barrony of Leyis and in the barrony of Tilleboy, with Banquhorie and Inveries, as lykvayis the tennents of the barronrie of Canneglerоch, be ther awin consent obleigis thame to bring ther men as hes fallin them be kavellis,

vnder the paine of ther hail mowabils, to produice them in Banquhorie be ten hours to go on vpon service for the defens of the country, and euerie man as he is desyrit according to the roll efter this roll folloving; and that this order be still keipit in al tym cuming so long as the country is not inpeace, as lykvayis quhen the hail stent of sogers is maid vp, the nixt figur must furnisch ane hors, and the nixt ane cariagman; the order that they go furth is this, wiz.:—David Douglas first, Jhon Mowat in Drumquhrenie secund, James Burnet thrid, Jhon Mowat in Nuik fourt, Alex^{r} Farquhar, Jhon Hutcheon's relict, Georg Thome, Jhon Beg in Banquhorie fyft, Kilduthie saxt, Michael Thomson sewint, quhilk gois on vith the thrid beeaus they ar but ane pleuch both, Kilduthie aucht, the Lard nynt, Cragtone tent, Jhon Malysone in Candeshill ellevint, Lochtoune tuelft, James Blakhall thretteint, Thomas Burnet in Brathinche fourteint, Androw Burnet in Voodend fyftent, W^{m} Straquhan in Standand Steanis saxteint, Petinkerie sevinteint, Alex^{r} Burnet in Inverie auchteint, Alex^{r} Scheanis nynteint, W^{m} Coban in Inverie tuentie, Dauid Steilhous tuentie ane, Alex^{r} Movat, Jhon Gallova, and Thomas Nivie tuentie tua, Laurie Braibners relict tuentie thrie, M^{r}. Jhon Reid tuentie four, W^{m} Hervie tuentie fyv, Alex^{r} Forbes in Brathinche tuentie saxt, Lichtvood tuentie sewin, W^{m} Straquhan in Hauton tuentie aucht, Alex^{r} Straquhan, Alex^{r} Malyssone, Alex^{r} Fithes and Dauid Malyssone tuentie nynt, Kunskie threttie, Alex^{r} Duncane in Hatoune threttie ane, the Vidov thair threttie tua, W^{m} Duncane and Thomas Munzie threttie thrie, James Blakhall threttie four.

The men in Cannegleroch, in order as follovis:—W^{m} Spaden for Cannegleroch first, W^{m} Mowat secund, Jhon Reith thrid, Thomas Duncane fourt, Jhon Hunter fyft, Georg Fraser saxt, Jhon Georg, W^{m} Spaden, Ro^{t} Dauidsone sewint, W^{m} Nuccol, Alex^{r} Spensar aucht, Alex^{r} Robertsoune nynt.

The said day it is statuit and ordeanit, that such cotters and girsmen within the grounds forsaid as ar oblegit to ordinar service to ther masters, that lykvayis they sall be oblegit to go to the service of the camp quhereuer they happin to be, able bodies not hauing ane nvmber of barnis, and ther masters to satisfie thame be the advyis of the lard, according to ther outbyding long or schort.

Dec. 28, 1643. The said day it is statut and ordained, that whatsum-

ewir servant leewis his servic, being the lairds owin serwent, sall pay fortie shillings for ilk day that he beis out off the lairds servic. Anie being gentlemen or husbandsmen serwants sall pay twentie shillings for ilk day that they ar out of servic, for half ane day ten shillings, a quarter of a day fyw shillings.

July 30, 1646. The said day it is statut and ordained, that no peits be led of the lairds mooss quhair his leit peits ar castin, ether be husbandmen, or cottars, or grassmen, or quhatsomewer persone, till first the laird his leit peits be compleitlie led; and that wnder the paine off ten punds to the husband, fyve punds to the cottars, and fortie shillings to all wther men, *toties quoties* they shalbe found guiltie.

Item, the said day it is statute and ordained, that all within the ground of Lyes quho brewis ony malt, or hawe browin since the last court, pay a stone of brew talloue or four pounds for the samen, within terme of law, wnder paine of poynding: and that they shall tak no moir from the said day but tuelf pennies for the aile, they paying for the malt but sex punds; and that they augment the aile tuo pennies of the poynt, as the malt is augmented tuantie shillings of the boll, wnder the paine of the pryce of one boll of malt, at lest sex punds.

June, 5, 1649. The said day anent the complaint giffin in be the officier agans the haill tennentis that ar in vse to pey thar custoum foulls of all sorts and kynds; and be resoun, they and ewere ane of tham, at diuers tyms and seasonis, gois to the brugh and sellis thair foulls, quhairthrow the lairds hous is alltogidder misserweit; the baillie forsaid, for remeid thairof, decernis ilk tennent that delyuers nocht in thair foullis in to the place being commandit and desyrit be the officier, as said is, to pey tuelff shillingis for ilk capone, sex shillingis for ilk hen, thrie shillingis for ilk chilkin, within tuentie four hours, wnder the pain of poyndeing.

The said day anent the complanit giffin in be the laird himself aganis his tennentis, makand mentioun that be resone of the scarcitie of moiss be the gryt abuse in burneing of them, and making of brintland; for remeid quhairof the baillie forsaid decernis the haill tennentis to desist frome labouring of any brintland heirefter, till first the same be sightit be the laird, quhidder the same micht be labourit or nocht, and licence

and libertie hed and obteinit frome the laird for that effect. And quhosoewer dois in the contrair, and contrawenis this ordinance, the bailzie forsaid decernis the transgressour and disobeyar to pey the sowme of ane hundreth pounds, as for cost, skaithe, and dammage, *toties quoties* wnder the paine of poynding.

Nov. 6, 1649. The said day, fforsameikill as Robert Burnet, son lauchfull to Camphell, and Alex^r^ Gray, seruitor to Jon Mollesoun, efter certan ewill speichis past betuixt tham enterit in handiegrippis, and war nocht be the help of wthers had nocht mist to hawe fallin in bloode presentlie, and sielyk, ffor prewenting of the quhilk danger in tyme cuming, and saiffeing tham both frome skaith herefter, the laird him selff as justice of peace, and the baillie forsaid, hes causit thame becum boundin and oblest nocht to trwbill or molest wthers in tyme cuming, vnder the panis following, viz.:—the said Robert Burnet wnder the pain of ane hundreth poundis, *toties quoties*, and the said Alex^r^ Gray wnder the pain of fourtie punds, that nether of tham sall trubill or molest wthers herefter. Lykas Jon Molleson is becum oblest as cautioner for the said Alex^r^, and the lard hes oblest to stand gud for the said Robert.

May 14, 1650. The said day, inrespect of the daylie contentioune, flytting, scoldeing, and wthere indiscret cariage had betuixt Thomas Duncan, and Dauid Dowglas, and George Thome, indwellars in Bardshillok, ffor remeid quhairof, and that they keip gud nichtbourheid ilk ane to wthers heirefter, they hawe becum actit and obleist ilk ane to wthers, that ather of thame sall be harmeles and skaithles of wthers heirefter, and that wnder the paine of ane hundrethe pounds scottis money, to be peyit to the laird be the pairtie braker of this act, and ordanis the officier to poynd for the samen.

The said day, it is ordanit and statut that na tennent within the ground strik nor ding wthers beastis, how soewer being found in skaithe, quhairthrow diuers of the tennentis and nichtbours hes resanit gryt skaithe from wthers be the strikking of tham indiscreitlie with gryt treis, and felling of tham with staincis; and quhatsomeuir tennent or nichtbour within the ground that dois the lyk abuse, the same being qualifeit and prowin, the pairtie trespasser is ordanit to pay the sowm of fourtie shillingis

toties quoties. So that, be vertew of this act, all nichtbours ar dischairget frome strikking wthers guds, bot ar ordanit onlie to hound, and not to strik gif they be found in skaithe.

April 22, 1656. The said day, anent the complanit giwen in be the tennentis in Newbray, concerning a gryt stryff and debait risen among them for ane water stryp that runns at the north end of ther croftis; by reason, som of the saids tennentis demmis the water, and makis it to run throw ther neighbours land, and convoiyes the same out aff the right watergang, quhair the same was wount to runne, for prewenting debait that may heirefter arys among the saids tennentis for the caws forsaid, it is ordained that whosoewir heirefter salbe fund demming the said stryp, but only suffering the same to runne in the wount cowrs, sall pay ane wnlaw of fortie shillingis, *toties quoties* they be fund guiltie.

May 37, 1656. The said day, anent the generall ordour aff surweying the personall estaits of all tennantis, and seing ane condescendanc betuixt maister and tennant for payment of the cess may be ane meane to eschew the surrweyeing of personall estaits, therfoir it is particularlie condescendit and agried betuixt the said Sir Alex^{r} and the tennantis vnder subscrywers, in mainer wndirvrittin, that is to say, that the saids tennantis sall reliew the said Sir Alex^{r} of a thrid pairt of the cess in all tym coming, during the payment therof, and be reasone the tennantis are the first adwancers of the haill cess, it is further condescendit that what wictuall any tennant that payes ferme haldis in ther awin hand, for payment of that pairt of the cess that is payabill be the said Sir Alex^{r}, they sall haw the wictuall so reteined ane merk downe of ewirie boll that the said Sir Alexander gettis for his garner, the tennantis vho haw condescendit in mainer befor expressit are thes, &c.

Nov. 26, 1660. The said day, forsamekill as the stewart within the place gawe in ane complaint, schawing therin that he was oft and diuers tymes reprowed for presenting to the tabill of ewill baikin bread, and declaired that he was nocht abill to amend the same for want of barme to the batches at all tyms. Thairfore, the baillie hawing takin consideratioun for remeid thairof in tyme comeing, and finding that thair is ane gryt pluralitie of brewars within the laird's awin lands, decernit

the haill brewars, *per vices*, ilk ane in thair tourne, to gift weeklie to the stewart, or to any wther he sould happin to send for the same, ane quart of barme, for making and baiking of sufficient bread; and quhosoewir refuises, being desyrit to send the same, sould pey to the stewart the pryce of ane quart aill, in reddie money, to by the samen; and quhosoewir failles in maner forsaid, ordaineis the officier to poynd presentlie for the samen. And it is heirby declaired that ilk brewar that sends in the barme sall hawe thrie loawes for the samen.

June 26, 1661. The said day, the haill tennents, cottars, and grasmen within the maynis ar decernit, ilk ane of thame, to fald thair haill guidis, both nolt and scheip, nichtlie dureing the season; and ilk ane of thame, according to the number of thair guids, to walk the fald thair nicht about, least the guids, for want of attendance, brak the fald. And gif it fallis out that they happin to brak the fald, and do skaith, that the persone appointed for the fald to walk the samen suffer any skaith to be done be eitting and distroying of the cornis sall be comptabill for the skaith, and pey the samen efter compryissing.

October 22, 1674. Lykas, all former acts made in the laird of Leyis courts, viz., the shearing of grass amongst corns or in hainings, the keiping of the laird of Leyis smidie and peyinge boall as vsit and voant, the keiping of the mils and not abstracting no multars, and to doe all dewtie theirto vsit and voant. The which acts ar confirmed to hold firme, and in as great foarce and strenth as give the samen wer extended to the full.

The entries subsequent to 1666, or thereabout, are mostly reckonings of the laird with his tenants for their "fermes" and other dues, diversified occasionally by actions for "ryots," or for "hurting, wounding, and blood drawing."

The following is the last entry in the record:—

August 29, 1709. The said day, forsameikle as James Naughtie in Bairdshillock being declaired theife and fugativ, and forsameikle as William Collie in Lightwood was found to have recept and avay taken of the said James Naughtie, fugative, of his goods and geare; and being

judiciouslie svoarne that he should declaire what goods and geare particularlie he had recept and avay taken, and being interogat thervpon be the procurator phiscall, did declaire that he had receaved seaven or eight boords, and ane old timber seat, and ane meikle wooll wheall, and on chist of on boord in the syd, loacked and banded, and ane vyther chist of ane boord and ane halfe boord in the syde, loacked and banded; but the said William Collie being interrogat vhat was in the said chists, declaired judiciouslie that he knev not, and theron gave oath. Mor fouar or fyve yoaks, and ane horse yoak, and ane single door, and ane corne furlot, and ane airme chaire of woodin oake with tuo stilts, and ane head of ane pleugh with ane hand barrou, and ane baiking boord. And being againe interogat give he goat aney moar judiciouslie, gave oath that he goat no moar, and that they wer all loacked wp in on of his barns; and the bailyie heareing and considering the forsaid fact, does heirby inact the said William in the wnlav of , and to make peyment therof as accords of law. And lyke as, the said William was ordained be the bailyie, that he should make all the forsaid goods furth command vpon demand, vnder the failzie of , to which acts the bailyie interpons his pouar and autoritie.

MINUTES OF COURT OF THE BARONY OF WHITEHAUGH.

1686–87.

The Court off the Barronrie off Whithaugh, Curtastone, and Drumgowine, with the pairts and pendickls thairoff, lyand within the parishis off Leslie and Tillinessil, holden within the hall of Whithaugh wpon the second dey of Junij, jaj vi^c four scoir six yers, be Patrick Reid off Haughtone, bailze, to Johne Leith off Whithaugh, hearitor off the said lands, James Ross, notar publique, court clerk, Johne Elis in Mangerie, official, domster.

The suits called, the court lauchfully fensit and affirmit, &c.

The said dey, be wertue off the tuentie-fourt act off our soverane Lord, James the seavint, the first session off his first parliament holden at Edinbrugh the tuentie-third off April, jaj vi^c four scoir fyve yeires, be the Duck off Quenisberie, his Majesties comissionr, decerning and ordening all hearitors, lyffrenters, proper wodsetters, and all wthers thairin mentionat, to causs thair tennants oblidge themselvis aither in thair assedations or inact themselvis in thair maister court books, or to giue band apairt that they for themselvis, and taiking burden wpon them for thair tamilies, servants, and grasmen; that they sall in all tyme heirefter leiv peaceablie, regularlie, without anie fanaticall disordors, and who sall

be found to contraveine the same, thay sall be lyable to wndergo the certifications, pains, and penalties contend in the said act.

Thairfor, in obedience to the said act, wee wndersubscryvers efter designed, induelers in the said barronries, doeth heirby bind and oblidge ourselvis, and taiking burden wpon ws for our families, servants, and grassmen, that wee sall in all tyme coming heirefter leive peaceablie, regularlie, frie off all fanaticall disordors; and incace wee, or aither off ws be found guiltie off anie breach off the said act, that wee sall wndergoe, and be lyable off the certifications, pains, and penalties contened in the said act in al points.

Georg Leith in Teremill.
John Chalmer in Avchmar.
William Grien in Foullford.
Patrick Mitchell in Tofthills.
John Clerihev, Bwharn.
W^m^ Smith in Coufarne.
John Reid in Drumgovin.
Al. Mitchell in Bray.
Arthour Donaldsone in Moshead.
James Mitchell in Letendie.
John Leith in Belquharn.
Georg Conner in Whithaugh.
John Smith in Mongarie.

James Smith in Millhill, Pat. Wilsone in Hilock, Johne Reid in Drumgowin, James Ritchie in Mangarie, Alex^r^ Litchne in Bucharne, James Mackie in Drumgowin, Peter Mackie in Johnstone, Alex^r^ Anderson in Milfield, Patrick Hebron in Johnestone, Alex^r^ Donaldsone in Greystone, Patrick Duncane in Cairncoiss, Archbald Clerihewe in Baakhead, James Foulartone in Drumflatack.

Ita est Jacobus Ross notarius publicus de mandatis dictarum personarum scribere nesientiium vt asseruerunt ad hoc legatus et requisitus.

Ja. Ross, N. P.
Pat. Reid, bayly.
Ja. Ross, N. P., court clark.

The Court of the lands of Bucharn, Mountgarioch, and the other lands within the parochin of Tillienessell, belonging heretablly to ane honorabill man, John Leith of Whythaugh, holden within John Leith in Bucharn, his dwelling house, wpon the tuenty-

second day of Februar, jaj vi^{c} four scoir and seven yeares, be Georg Wilsone of Fyndhaugh, his baillie, John Leith in Buchairn, pror. fiscall, Mr. Adam Barclay, notar publick, court clerk, John Ailice, ground officer, and , dempster.

The suits callit, and the court lawfullie fenced and affermit as effeires.

The quhilk day, John Richie in Slavethie gave in ane complaint upon Alex^{r} Chamber, servitor to the laird of Whytehaugh, who, comming from the sermon upon ane fasting day, did meit accidently on the rod; and, after severall words and lyes that past betuixt the said complainer and the said Alex^{r} Chalmer, the said Alex^{r} Chalmer did strick the said complainer over the head with a tree, and thairafter they being red, the said Alex^{r} Chalmer did meit him in the way with ane bended pistol, and swear horriblie that he should have his life since he was not able to graple with him, and shot the said pistole at the said complainer, bot did no hurt; and, afterwards, not being satisfied with that, did strick, abuse, and blood the said complainer, quhairfor he desired justice as lawe will.

The said Alex^{r} Chalmer being lawfullie soummond to this court ten dayes befor the dait heiroff, to answer hear this day at the said procurator fiscall, his instance, and at the instance of the said complainer, for the crymes above lybellit, being callit, compeired, and challenged, and accused upon the said lybell if it was true or not, did denye the samen, as it is conceived; quhairfor the said baillie referred the samen to the probatione, and for proving thairoff the witnesses were adduced, to witt:—

Arthour Donaldsone in Mosshead, who being admitted and sworn, deponed upon oath, that he sawe Alex^{r} Chalmer strick John Richie with a tree over the head, and also that he sawe John Richie strick Alex^{r} Chalmer with a tree twice over the head after severall lyes past betwixt them. This he declared to be trew, as he should answer to God.

Arthour Donaldsone.

Patrick Wilsone in Newseat, another wittnes adduced, admitted and sworn, deponed upon aith, *in omnibus ut supra*, and this he declared to be true, as [he] should ansuer to God. At command of the said Patrick Wilsone, who cannot write, as he affirmed, I, Mr. Adam Barclay, notar publick, doe subscrive as testifies my following subscriptione.

A. Barclay, N. P.

John Clariehew in Bucharn, being adduced as another wittnes, admitted and sworn, deponed upon aith that he saw them both at the ground in handie gripps, and both arose again and wrestled and fell to the ground the second tyme; and afterwards he sawe Johne Richies nose blooding, bot did not know who gave the blood. This he declared to be true as he should answer to God.

John Clerihew.

Donald Bain in Bucharn, adduced as another wittnes, admitted and sworn, deponed upon aith that he sawe them lyeing on the gronnd in handie gripps, and sawe John Richies nose blooding, and Alex^{r} Chalmers fingers blooding, and that he saw John Richie lift a stone to throw at Alex^{r} Chalmer, bot was hindered, and the said Alex^{r} Chalmer did lowp out of the way. This he declared to be trew as he should answer to God. I, the said Mr. Adam Barclay, notar publick, doe subscrive for Donald Bain, as testifies my hand.

A Barclay, N. P.

Alex^{r} Black, miller at Millhill, was adduced as another wittnes, admitted and sworn, deponed upon aith that he sawe Alex^{r} Chalmer, his hand blooding, after it was washen, being hurt, This also he declared to be true as he should answer to God. At command, also, of the said Alex^{r} Black, who cannot write, as he affirmes, I, Mr. Adam Barclay, notar publick, does subscrive, as wittnesses my hand.

A. Barclay, N. P.

The rest of the lybellit, quhich could not be proven by wittnesses, the said complainer referred to Alex^{r} Chalmer, his oath.

And the said Alex^{r} Chalmer deponed on his oath, that he did not intend to doe John Richie wrong with his pistoll, nor did he shot nor aime at him with her, bot shot her in the burn. Whilk complaint, with the wittnesses depositiones and declarations being taken to the baillies consideratione, and finding the said Alex^{r} Chalmer guiltie of battering, stricking, beating, and blooding of the said John Richie, did therfor onlaw the said Alex^{r} Chalmer in fiftie pounds scots, to be payed to the said baillie, and ten merks of assythment to the complainer injured; and ordaines the same to be payed be the said Alex^{r} Chalmer within terme of lawe, under pain of poynding and sicklyke the said Alex^{r} Chalmer heirby enacts himselfe to behave himselfe civilie and christianly to the

said John Richie, both be word and deed in all tyme comming, under the penaltie of tuentie pounds for every tyme he shall contraveen the premisses, *toties quoties*.

Alex^r^ Challmer.
Geo. Wilsone, bailzie.
A. Barclay, N. P. clerk, predicte curie.

And continues this court to the nixt tuentie four hours advertisment, or sooner if neid beis.

MISCELLANEOUS

CHARTERS AND CONTRACTS

FROM COPIES AT PANMURE HOUSE,

MADE FROM THE ORIGINAL DOCUMENTS.

MISCELLANEOUS CHARTERS & CONTRACTS.

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I.—1151-3.

Charta Malcolumbi Regis Radulfo Frebern terrarum de Rossive et Dunduf.[a]

Malcolmus Rex Scottorum episcopis abbatibus comitibus baronibus justiciarijs vicecomitibus prepositis ministris cunctisque alijs probis hominibus totius terre sue Francis et Anglis Scottis et Galwelensibus, clericis et laicis presentibus et futuris salutem Sciatis me in feudo et hereditate dedisse et hac mea carta confirmasse Radulpho Frebern et heredibus suis Rossive per rectas divisas suas et Dunduf per rectas divisas suas sicut aliquis eas melius et plenius tenuit in tempore Regis DD. et terram que fuerat Magistri Roberti feronis [ferrariis][b] juxta Newbotle, ita plenarie ut eam tenebam die illa quum eam dedi ipsi Radulfo Volo itaque et precipio ut idem Radulfus et heredes ejus terras prenominatas

[a] ["Copied" (as well as Nos. II. and III.) "from the originals belonging to Mr. David Freburn, somtym Minister of the Gospel at Dinen, in Perthshire."]

[b] [Perambulacio inter Neubotle et Maisterton. Registrum de Neubotle p. 4.]

per earum rectas divisas ut superius determinate juste de me et de heredibus meis teneant hereditarie plenarie libere quiete honorifice in terris et aquis in bosco et plano in campis pratis pascuis et in moris et in omnibus alijs rectitudinibus et libertatibus ad eas juste pertinentibus et sicut alij barones mei terras suas de me melius et liberius tenent propter servitium unius militis Testibus Andrea episcopo de Kateneis Ada comitissa matre Regis Willelmo fratre Regis Engelramo cancellario Waltero filio Alani dapifero Ricardo de Morevill constabulario Nicolao camerario Willelmo de Haia pincerna Roberto Avenel Willelmo Carpentario Willelmo de Lindisi Willelmo de Eggremunt Johanne de Stutevill Godefrido de Arundel Apud Fetherteviet.

II.—1161-3.

Confirmation by William, King of Scots, to Ralph Frebern.

Willelmus Rex Scottorum episcopis abbatibus comitibus baronibus justiciariis vicecomitibus prepositis ministris omnibus probis hominibus tocius terre sue clericis et laicis modernis et posteris salutem Sciant presentes et futuri me concessisse et hac carta mea confirmasse Radulfo Frebern Rossive per rectas divisas suas sicut aliquis eam melius et plenius tenuit tempore Regis DD. avi mei et terram que fuerat Magistri Roberti Ferronis [Ferraris] juxta Neubottle ita plenarie ut eam tenebat die illa frater meus Rex Malcolmus quum eam dedit ipsi Radulfo Tenend. [etc] ita libere et honorifice sicut alii Barones mei terras suas de me liberius et honorificentius tenent et sicut carta Regis Malcolmi fratris mei testatur et confirmat per servitium unius militis Testibus DD. fratre meo Nicholao cancellario Ricardo de Morevill constabulario Galfrido abbate de Dunfermlin Comite Waldeve Comite Duncano Waltero filio Alani dapifero Willelmo Carpentario Galfrido Malevin Jordano Ridel. Apud Pert.

III.—1189–1199.

Charter by Robert de London to Roger Frebern.

Robertus de Londoneis omnibus amicis et hominibus suis salutem Sciatis tam presentes quam futuri me concessisse et hac mea carta confirmasse Rogero Frebern in feodo meo de Aberdouer Colestun et Balemacmol et Muntequim per rectas divisas suas et cum omnibus justis pertinentijs suis Tenendas et habendas heredibus suis de me et heredibus meis cum omnibus libertatibus cum quibus dominus Rex predictas terras ei dedit et sicut carta domini Regis testatur faciendo ipse et heredes sui mihi et heredibus meis servitium unius servientis cum equo et albergello in exercitu domini Regis Testibus Comite DD. patruo meo Hugone cancelario Ricardo de Prebenda Comite Patricio Philippo de Valonijs Willelmo de Haia Alexandro vicecomite de Strivelin Ricardo filio Hugonis Willelmo Avenell Willelmo filio Gafridi Johanne de Moravia, Everardo de Vallibus, et multis alijs.

IV.—1335–8.

Charter by Duncan, Earl of Fife, to Beatrice of Douglas, and John her son, of the Barony of West Calder.[a]

Omnibus hanc chartam visuris vel audituris Duncanus Comes de Fyffe salutem in Domino sempiternam Sciatis nos dedisse concessisse et hac presenti charta nostra confirmasse domine Beatrice de Duglas sponse quondam domini Archibaldi de Duglas militis Totam baroniam nostram de Wester Caldar cum omnibus suis pertinentijs pro toto tempore vite sue et post decessum dicte domine Beatricis Johanni de Duglas filio suo et heredi ac heredibus suis etc. Tenendam [etc.] Reddendo inde annuatim [etc.] unum par calcarum deauratorum tantum modo sive duos solidos sterlingorum ad festum pentecostes si petantur Et nos vero dictus Duncanus comes de Fyfe et heredes nostri [etc.] wa-

[a] [Copied from the original, belonging to Lord Torphichen.]

rantizabimus [etc.] In cujus rei testimonium huic carte sigillum nostrum est appensum apud Falkland hijs testibus domino Andrea de Moravia custode regni Scotie domino David de Lindsey domino Roberto de Lauder justiciario Scotie ex parte boreali aque de Forth domino Willelmo de Keith domino David de Wemys vicecomite de Fyfe domino Andrea de Douglas vicecomite de Perth militibus Willielmo de Duglas domino Adam de Scrawelyn abbate de Culros Alano de vetere ponte constabulario laci de Lewyn et multis alijs.

V.—1338.

Charter by John de Ergadia Lord of Lorn, to Mary, the wife of John of Strivelyn.[a]

Omnibus has literas visuris vel audituris Johannes de Ergadia dominus de Lorn salutem in Domino Universitati vestre notum facimus per presentes nos dedisse concessisse et hac presenti carta nostra confirmasse Marie amite nostre uxoris Johannis de Strivelyn et heredibus suis quinque denariatas terre de Rathoraw et unam denariatam que vocatur Garnpennyng duas denariatas de Bartych Kergyll unam denariatam de Fekeyrfaleach vocatamque Logan constitut. Tenendas et habendas predictas terras a nobis et heredibus nostris dicte Marie et heredibus suis per omnes suas rectas metas antiquas libere et plenarie cum omnibus suis pertinentiis libertatibus et aysiamentis Reddendo inde nobis annuatim unum par calcarum ad festum Pentecostes vel valorem ipsorum si reperiri venalia non poterint pro omni servitio et demanda Quasquidem terras nos et heredes nostri sibi et heredibus suis contra omnes viros et mulieres warandizabimus et defendemus In cujus rei testimonium sigillum nostrum presentibus est appensum Datum apud Perth in nativitate Sancti Marce anno domini millesimo ccc° tricesimo octawo. Hijs testibus domino Malcolmo Kenedy camerario Scotie domino Michaele Scott milite Michaele Fisher constabulario de Perth et multis alijs.

[a] [Copied from the original at Keir]

VI.—1348.

Charter by William of Douglas to James of Sandilands, of the lands of Sandilands, Redmyre, and others.[a]

Omnibus hanc chartam visuris vel audituris Willelmus de Douglas dominus loci ejusdem salutem in Domino sempiternam Noveritis me dedisse concessisse et hac presenti carta mea confirmasse Jacobo de Sandilandis armigero meo dilecto et fideli pro homagio et servitio suo omnes terras meas de Sandilands et del Redmyre cum pertinentiis per suas rectas metas et divisas antiquas infra dominium meum vallis de Douglas cum orientali parte terre de Pollynfeygle prout aqua de Douglas currit ascendendo usque ad duas arbores de Byrks ex occidentali parte del Halleford ex opposito del Haynygschaw que est infra baroniam de Lesmahagow et sic sursum extendendo usque le Wycbynbusks ex orientali parte de Lanjcaillie et sic sursum usque ad mesuagium dudum Ade filij Petri et sic sursum extendendo usque ad boscum de Polynfeyghschaw, et sic ascendendo juxta lacus nemoris usque ad altam viam et sic sursum sicut rivulus aque currit ad extremitatem crofti Thome Rouche, usque ad le Longngdyke Tenendas et habendas [etc.] Volo etiam, ut omnia blada super terras predictas concernentia que ad molendina mea accedere contigerint ulterius non solvant quam terra mea dominicalis antiquius solvere consuevit et si blada predictarum terrarum ad forum vel alibi in baronia vel extra vendenda fuerint per firmarios molendinorum multuris inde non exigantur Volo insuper ut idem Jacobus et heredes sui ab omni solutione contributionis immunes sint et quieti quatenus per patriam generaliter incurrat nisi terra mea dominicalis in manibus meis existens vel in manibus successorum meorum ad solutionem contributionis predicte specialiter fuerit obligata Reddendo inde annuatim michi et heredibus meis idem Jacobus et heredes sui ad festum Natalis Domini in byeme in ecclesia parochiali de Douglas unum par calcarum alborum si petatur nomine albe firme tantum pro omnibus secularibus servitijs exactionibus et demandis [etc.] In cujus rei testimonium presenti huic carte sigillum meum apposui Datum apud

[a] [Copied from the original belonging to Lord Torphichen.]

castrum de Edynbrugh die jovis proximo ante festum Natalis Domini anno gratie millesimo tricentesimo quadragesimo octavo Hijs testibus Willelmo de Douglas domino vallis de Lydell domino Andrea de Douglas domino Johanne de Douglas militibus Reverendo in Christo patre domino Johanne de Dalgernock tunc priore de Lesmehagow Magistro Waltero de Moffat tunc archidiacono Laudonie domino Ricardo Small rectore ecclesie de Rachou domino Adam rectore ecclesie de Kirkmeyghill Johanne Makmoyn tuñc balivo meo vallis de Douglas et alijs multis.

VII.—1355.

Obligation by Hugh Giffard to John Gray.[a]

Universis Christi fidelibus ad quos presentes litere pervenerint Hugo Giffard superior dominus Henrici de Fodringham de terris de Laurenstoun et Huchtaman eternam in domino salutem Noverit universitas vestra licet inter me et Johannem Gray superiorem capitalem dominum de dictis terris de Laurenstoun et Huchtaman concordatum est super sua confirmatione mihi et hæredibus meis de dictis terris facienda Volo concedo et fideliter manucapio pro me et hæredibus meis quod nullum præjudicium aut damnum eidem Johanni Gray incurrat causa dicte confirmationis quin ipse et heredes sui habeant et possideant quicquid de prenotatis terris de jure debeant possidere In cujus rei testimonium præsentibus literis in perpetuum duraturis sigillum meum apposui Datum apud Langforgund die Lune ultimo die mensis Februarij anno gratie milesimo trecentesimo quinquagesimo quinto.

VIII.—1368.

Charter by Isabel, Countess of Fife, to Duncan Fraser of Tulyfour.

Omnibus hanc cartam visuris vel audituris Isabella domina de Fyf salutem eternam in Domino Noveritis nos in pura viduitate nostra nullo

[a] [Copied from the original belonging to Lord Gray.]

metu coactam sed spontanea voluntate deductam dedisse concessisse et hac presenti carta nostra confirmasse pure et renunciando dilecto nostro et speciali Duncano Frassel domino de Tulyfoure omne jus nostrum et clameum quod habemus vel habere poterimus quoquo modo vel jure in terris de Orchyrhenchd Tulyoich et Meneicht cum pertinentijs suis pro suo bono consilio nobis facto et faciendo Tenendum et habendum predicto Duncano Frassel et heredibus suis a nobis heredibus nostris vel assignatis in perpetuum sine aliqua contradictione libere quiete plenarie bene et in pace In cujus rei testimonium sigillum nostrum presentibus est appensum Datum apud Perth in festo nativitatis beati Johannis Baptiste anno Domini millesimo ccc^mo^ sexagesimo octavo.

IX.—1357.

Charter to John Gray of Broxmouth, of the lands of Craigy.[a]

David Dei gratia Rex Scotorum omnibus probis hominibus totius terre sue salutem Sciatis nos quandam chartam Wilielmi de Troup filii et heredis quondam Johannis de Troup vidisse et diligenter intellexisse in hec verba Omnibus hanc chartam visuris vel audituris Wilielmus de Troup filius et heres quondam Johannis de Troup salutem in domino sempiternam Noveritis me dedisse concessisse et hac presenti charta mea confirmasse Johanni Gray domino de Broxmouth Totam terram meam de Craigy infra vicecomitatum de Kincardin de le Mernys cum omnibus suis pertinentiis rectis metis et divisis debitis et consuetis pro suo fideli subsidio et consilio mihi penes nobilem virum Thomam de Moravia impenso super quarundarum terrarum mearum recuperationem in manibus dicti Thome tunc temporis existentium Tenendam [etc.] Reddendo [etc.] unum denarium tantum nomine albe firme ad terram de Craigy si petatur per me vel per attornatos meos [etc.] In cujus rei testimonium sigillum meum presenti charte mee est appensum his testibus domino Patricio Dei gratia Episcopo Brechinensi domino David

[a] [Copied from the original belonging to Lord Gray.]

Flemyng milite Johanne de Straiton Johanne Wishart Andrea de Middleton et multis aliis Quamquidem chartam [etc.] confirmamus [etc.] In cujus rei testimonium presenti charte confirmationis nostre sigillum nostrum precepimus apponi Testibus reverendis in Christo patribus dominis Willielmo et Willielmo Sancti Andree et Dunblanensis episcopis Roberto senescallo Scotie nepote nostro Patricio comite Marchie Thoma comite de Angus Wilielmo de Levyngstoun et Roberto de Erskin militibus ac multis aliis Apud Perth octavo die mensis Septembris anno regni nostri vigesimo septimo.

X.—1353.

Charter of confirmation to Alexander Berkley of the lands of Wester Mathers.

David Dei gratia Rex Scottorum omnibus probis hominibus totius terre sue clericis et laicis salutem Noveritis nos quandam cartam et donationem Wilielmi de Keth marescalli nostri Scocie vidisse et diligenter inspexisse in hec verba Omnibus hanc cartam visuris vel audituris Gulielmus de Keth marescallus Scocie salutem in Domino Noveritis me ex consensu et assensu Margarete sponse me dedisse concessisse et hac presenti carta mea confirmasse Alexandro de Berklay et Catarine sorori mee sponse sue vel alterius diutius viventi et heredibus suis de corporibus suis legittime procreatis seu procreandis omnes terras meas de Wester Mathrys me ratione dicte sponse mee contingentes Quasquidem terras teneo eadem ratione de domino nostro rege in capite infra vicecomitatum de Kincardyn Tenendas [etc.] Reddendo [etc.] par chirothecarum albarum nomine albefirme ad festum Natalis Domini in capitali manso nostro de Strathekyn si petatur [etc.] Et si contingat quod absit dictas terras de Wester Mathrys cum pertinentijs per eversionem secludi a predictis Alexandro et Katerina sponsa sua et heredibus suis ut premittitur aliquo modo alienari vel causa ulteriticitatis infeodationis mee juste evinci ego vero Willielmus et heredes mei infeodabimus cum legittima warrantizatione dictos Alexandrum et Katerinam sponsam suam et heredes suos antedictos in decem marcatas terre sufficientes de

terris meis quatuor davatarum de Carnbrou in baronia de Strabolgy infra vicecomitatum de Aberdeen modo et forma infeodationis prenotate dictarum terrarum de Wester Mathrys In cujus rei testimonium presenti carte mee sigillum meum una cum sigillo Margarete sponse mee predicte apposui Datum apud capitale mansum meum de Strathekyn die martis in Inventione sancte Crucis anno Domini milesimo trecentesimo quinquagesimo primo Hijs testibus reverendo in Christo patre domino Philippo Dei gratia Episcopo Brichinense domino Willelmo permissione divina abbate de Aberbrothoc dominis David Fleminge Willielmo de Ledale militibus Johanne de Berkelay domino de Gairttoly Roberto de Mallavilla domino de Glenbervy Johanne de Stratton domino ejusdem et multis alijs Quasquidem cartam donationem et concessionem in omnibus et singulis punctis articulis modis et conditionibus supra nominatis predictis Alexandro et Katerine vel eorum alteri diutius viventi et heredibus suis pro nobis et heredibus nostris approbamus ratificamus et in perpetuum confirmamus In cujus rei testimonium sigillum nostrum presentibus precepimus apponi Testibus Roberto senescallo Scocie nepote nostro Thoma senescalli comite de Anegus Thoma de Morravia panetario nostro Scocie Roberto de Erskyn et Thoma de Fausyde militibus ac multis alijs apud Perth octavo decimo die Martij anno regni nostri vicesimo quinto.

XI.—1377.

Indenture between Patrick Gray of Broxmouth, and Mariot of Oliphant.[a]

Presens indentura facta apud Langforgund sexto decimo die mensis Januarii anno Domini millesimo trecentesimo septuagesimo septimo testatur et proportat quod totaliter convenitur inter Patricium Gray dominum de Broxmouth ex parte una et Mariotam de Oliphant ex altera viz.: quod dicta Mariota in legittima viduitate sua assedavit et ad firmam dimisit dicto Patricio et heredibus suis quinque bovatas terre cum pertinentibus jacentes infra baroniam de Langforgund et vicecomitatum de Perth pertinentes eidem Mariote ratione patris sue et quatuor bovatas jacentes

[a] [Copied from the original belonging to Lord Gray.]

in le Bordland in villa de Langforgund et unam jacentem in villa de Inchmartin Tenendas et habendas dicto Patricio et heredibus suis a festo Pentecostes proximo post datam presentis usque ad finem vite dicte Mariote [etc.] Reddendo inde dictus Patricius et heredes sui dicte Mariote aut suis assignatis quadraginta solidos sterlingos annuatim [etc.] In cujus rei testimonium presenti huic indenture penes dictum Patricium remanenti sigillum prefate Mariote est appensum Datum et actum die et anno supradictis.

XII.—1394.

Charter by David, Earl of Carrick, confirming the erection of a chantry in the chapel of St. Nicholas, in the parish church of Dumfries.

Omnibus hoc scriptum visuris vel audituris David comes de Carryk dominus de Nythidal salutem in Domino Noverit universitas vestra sciatis nos inspexisse ac veraciter intellexisse cartam Nicholai de Drumfres burgensis ejusdem non abolitam non cancellatam nec in aliqua sue parte in hec verba Universis Christi fidelibus hanc cartam visuris vel audituris Nicholaus de Drumfres burgensis ejusdem salutem in Domino sempiternam Noverit universitas vestra me ad honorem Dei et beate Marie et omnium sanctorum et pro salute anime excellentissimi principis domini mei domini Roberti Dei gratia regis Scottorum et pro salute anime mee et Ame uxoris mee et animarum patris et matris mee et animarum antecessorum et successorum meorum et pro animabus eorum quibus teneor obligatus et pro animabus omnium fidelium defunctorum ordinasse et constituisse unam cantoriam unius sacerdotis in perpetuum divina officia celebraturi in capella sancti Nicholai in ecclesia parochiali de Drumfres et ad sustentationem ejusdem cantorie et sacerdotis predicti dedi concessi et hac presenti carta mea confirmavi domos meas lapideas que vocantur Newuerk in villa de Drumfres ex parte orientali crucis fori quas habeo de communitatibus ejusdem ville cum warandizatione sicut confectum est in carta sua pro quatuor solidis annuatim mihi et assignatis meis Habendas et tenendas dictis cantorie et sacerdoti divina ibidem celebranti qui pro tempore fuerit in liberam puram et perpetuam elemosinam [etc.] Volo etiam ordino et constituo sacerdote primo ad dictam can-

toriam deputato viam universe carnis ingresso heredes mei in periculo animarum suarum infra quadraginta dies a tempore obitus sui viz. sacerdotis antedicti de sacerdote ydoneo de consanguinitate mea ad dictam cantoriam provideant ordinent et disponant ita tamen quod dictus sacerdos curam alibi non habeat animarum Si vero prefati heredes in hoc facto negligentes fuerint vel remissi tunc bene licebit communitatibus dicti burgi post lapsum dictorum quadraginta dierum de sacerdote ydonea ad dictam cantoriam infra quindecim dies immediate sequentes libere providere disponere et ordinare et ipsi burgenses inde negligentes et remissi ex tunc bene licebit domino Episcopo Glasguensis infra quindecim dies post lapsum dictorum quindecim dierum de sacerdote ydoneo ordinare disponere providere ad dictam cantoriam et salubriter ordinare Et si predictus dominus episcopus negligens fuerit et remissus ex tunc bene licebit capitulo chori Glasguensi infra quindecim dies post lapsum dictorum quindecim dierum de sacerdote ydoneo ordinare disponere et providere ita tamen quod nec predicti heredes mei communitates episcopus et capitulum qui pro tempore fuerint dictam cantoriam domos redditus et possessiones penes se vel eorum aliquem vel in usus proprios convertere seu a sustentatione cantorie predicte et sacerdotis alienare quovis modo valeant in futurum si predicte domus redditus fructus et possessiones cum pertinencijs et emolumenta earundem ad sustentationem dicte cantorie et sacerdotis medio tempore in integrum et plenarie inservientur Ego vero Nicholaus et heredes mei [etc.] warrantizabimus, [etc.] In cujus rei testimonium, huic presenti carte mee sigillum meum presenti scripto apposui et ad majorem securitatem faciendum sigillum commune ville de Drumfres communi consensu burgensium ejusdem ad instanciam meam apponi procuravi Hijs testibus venerabilibus et religiosis viris dominis Thoma et Willelmo Dei pacientia de Dulcis Cordis et de Sancto Nemore abbatibus domino Roberto Maxwell domino de Carlaverock domino Henrico Monwyl domino Thoma de Kyrkpatryk domino de Kyllosberyn militibus Rogero de Gordowyne Herberto de Cowy et multis alijs Datum apud Drumfres in festo Assumptionis beate Marie anno Domini millesimo ccc^mo. nonagesimo quarto Quamquidem cartam in omnibus punctis conditionibus articulis et circumstancijs suis quibuscunque forma pariter et effectu ratificamus approbamus et pro animabus successorum nostrrorum in perpetuum confirmamus In cujus rei testimonium presenti scripto con-

firmationis nostre sigillum nostrum apponi fecimus apud Edynburch vicesimo septimo die mensis Decembris anno Domini millesimo cccmo. nonagesimo quarto Hijs testibus domino Jacobo de Lyndesay domino de Buchan David de Lyndesay Willelmo Lyndesay Johanne de Hamyltoun militibus Waltero de Hamyltoun Willelmo de Kyrkhaleh et Ade Forster cum multis alijs.

XIII.—1397.

Contract of marriage betuixt George Douglas, Lord of Angus, and [Mary] a daughter of King Robert [III.][a]

Att Edynburgh the xxiiij° day of May, the yeir of our Lord a thousand thri hvnyr nynty seven, mad war thir amandys vnniruretyn, betuix a nobill and ane excellent prince Robert, throv the grace of God Kyng of Scottys of the ta pairte, and Margerette, Contas of Marr and of Angus, of the tothir pairte, that is to say, at Gorge of Douglas hir son Lord of Angus, sall led into wife a dochteyr of ovr Lord the Kyngys; and ovr Lord the King sall give hym for his marage all the landys at the sayd Gorge has in Angus, the baronyes of Abirnethy and Bonkyll, with the tenandrys of the forsayds lardschypps into frie regall, erytabilly to the sayds Gorge and his dochtyr, and to the lang lyvir of thayme, and to the ayrs male betwyx thayme to be gotyn: alsuo, ovr Lord the Kyng sall gif in fee and eritage all the profytis pertenand till ovr Lord the Kyngs of the Justery of the hale schirrefdome of Forfar to the sayd Gorge, and to the ayrs male betwyx thayme to be gotyn.

Alswa, ovr Lord the Kyng forsayd sall mak fri to the sayds contas and Gorge hir son eritage sall gif the sexteyn ponde of anwell ovte of the landys of Abirnethy forsayde, yeir be yeir; and alsua the forsayd ovr Lord the Kyng sall confirme, approve, and ratyfy under his greit seyll all giftys, taliees, settyngys, and condysyoungs mad or to be mad be dame Isabell, Contas of Mar, to the sayd Gorge hir brothir, of all the lanys, rentys, and possessyoungs, the qvylks sche hes or may haf thin the Kynrye of Scoteland and als at ovr Lord the Kyng sall

[a] [Copied from the original belonging to the Duke of Douglas.]

resaiyve all resignasyonings at the sayd Dame Isabell lykys to mak, and with all hast he sall giff chartyr and possessyovin erytabyll to the sayd Gorge and his dochtyr in fovrme and manner, as the condysyovns requyris. Alsua ovr Lord the Kyng oblis hym lely that he sall resayve na resignasygovings mad be that ilk Dam Isabell of na landys, rentys na possessyovings to na manys profyte, nar na confyrmasyounse gif tharupon, bot anly to the oyis and the profyte of the forsayd Gorge hir brothir obtakande gif he has gifyn ony lettre to Sir Thomas Erskyn Alswa ovr Lord the Kyng sall confirme all talsies, giftys, settyngys, and condisoving mad or to be mad be Sir James of Sandylandys, Lord of Calder, to the sayd George of his landys, rentys, and possessyovings the qvylks he has or may haf within the kynryk. Alsva ovr lord the Kyng oblis hym at his powr to manteyn the forsayde lady, her men, her landys, and thair possessyovings, the qvylks sche has within the kynrye, as he doys his awyn propyr. In the wytnes of the qvylks thyngs the selys of the pairtyys forsayds to thair endentvrys enterehangiabilly ar to sett the day and plays fornemyt.

XIV.—1406.

Resignation by Thomas Strachan of Glenkindy, in favour of Sir Patrick Gray, Knight.[a]

Omnibus hoc scriptum visuris vel audituris Thomas de Strayachan dominus de Glenkenedy in Mar salutem in Domino sempiternam Noveritis me non vi nec metu ductum nec errore lapsum sed mera et spontanea voluntate mea dedisse concessisse ac per fustem et baculum pro me et heredibus meis resignasse nobili viro et potenti domino Patricio Gray militi domino de Broxmouth domino meo superiori de Snawdoun totum jus et clameum quod habeo habui vel habere potero in terris meis de Snawdoun antedictis eum pertinentijs in barronia de Craigy infra vicecomitatum de Mernys jacentibus pro quadam summa pecunie mihi gratanter et plenarie pre manibus persolute ad recuperationem terrarum mearum de Glenkenedy ab Alexandro de Forbas filio et hærede domini

[a] [Copied from the original belonging to Lord Gray.]

Johannis de Forbas domini ejusdem sic quod nec ego Thomas antedictus nec hæredes mei seu executores vel assignati nec aliquis alius vel alij nomine nostro aliquod jus vel clameum in dictis terris de Snawdoun cum pertinentijs peti poterimus de cetero seu poterint aliqualiter vendicare [etc.] In cujus rei testimonium sigillum meum presentibus est appensum et ad majorem hujus rei evidentiam et causa veri testimonij perhibendi sigilla nobilium virorum et discretorum magistri Patricij de Spalding decani Aberdonensis et domini Jacobi Scrymgeour constabularij de Dundee una cum sigillo communi ejusdem burgi cum magna instantia præsentibus apponi similiter procuravi apud Dundee die sexto decima mensis Maij anno gratie millesimo quadringentesimo sexto his testibus dictis magistro Patricio de Spalding et domino Jacobo de Scrymgeour Roberto de Seras præposito de Dundee Johanne de Ballmallyne Simone de Lindors notario publico Ricardo Scot tunc ballivo et aliter [ejusdem David de Abbukerdor Johanne Young Roberto Templeman Roberto Dugude et pluribus alijs ad hoc specialiter collocatis.

XV.—1413.

Charter by John Fraser of Ardendraught, to Alexander Fraser of Tulyfour.[a]

Universis hanc cartam visuris vel audituris Johannes Fraser dominus de Ardendracht salutem in Domino Sciatis me dedisse [etc.] dilecto consanguineo meo Alexandro Fraser filio quondam Duncani Fraser domini de Tulyfour totas terras meas de half davach de Ardendracht cum pertinentiis jacentes ex australi parte dictarum terrarum mearum de Ardendracht in vicecomitatu de Aberdene pro toto tempore vite sue pro suo fideli officio mihi impenso Tenendas [etc.] In cujus rei testimonium sigillum meum presenti carte mee apposui Apud Aberdene ultimo die mensis Januarii anno domini millesimo quadringentesimo tertio decimo testibus Patricio de Moravia domino de Culbardy et Willelmo Cryn de Aberdene.

[a] [Copied from the original at Slains.]

XVI.—1414.

Charter by Euphame, Countess Palatine of Stratherne, to Luke Strivelyne.[a]

Euphemia Comitissa Palatina de Stratherne, universis Christi fidelibus ad quorum notitiam presentes litere pervenerint eternam in Domino salutem Vestra noverit universitas nos in nostra pura et legitima viduitate constituta dedisse concessisse et hac presenti carta nostra confirmasse dilecto armigero nostro Luce de Strivelyne pro servitio suo nobis impenso et impendendo Omnes et singulas terras de Wester Rathene cum pertinentiis jacentibus in comitatum nostrum predictum de Stratherne quas idem Lucas non vi aut metu ductus nec errore lapsus sed sua mera et spontanea voluntate causa talliationis inter ipsum et Willielmum de Strivelyne dominum de Calder faciende nobis apud Dunblanen sursum dedit ac totum jus et clameum quod unquam habuit vel habere potuit pro se et heredibus suis pure et simpliciter resignavit Tenendas et habendas omnes et singulas terras predictas cum pertinentibus predicto Luce de Strivelyn et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus Willielmo de Strivelyne domino de Calder et heredibus suis masculis de corpore suo legitime procreatis seu procreandis quibus forte deficientibus propinquioribus heredibus masculis de cognomine de Strivelyn quibuscunque quibus omnibus quod absit deficientibus legitimis ac propinquioribus heredibus dicte Luce quibuscunque revertendas de heredibus nostris ac successoribus in feodo et hereditate in perpetuum per omnes rectas metas suas et divisas in boscis [etc.] Reddendo inde annuatim nobis et heredibus ac successoribus nostris dictus Lucas et heredes sui masculi talliati predicti tres sectas in anno ad tria placita nostra capitalia comitatus de Stratherne et unum denarium argenti apud Foulis die Pentecostes nomine albefirme si petatur tantum pro warda et relevio ac maritagio omnique alio servitio seculari exactione seu demanda que de dictis terris cum pertinentiis per nos vel heredes nostros aut successores aliqualiter exigi poterint seu requiri Nos vero Euphemia nostri heredes et successores omnes

[a] [Copied from the original at Keir.]

et singulas terras predictas cum pertinentiis predicto Luce et heredibus suis masculis forma predicta talliatis contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus In cujus rei testimonium sigillum nostrum presentibus apponi fecimus apud Perth octavo die mensis Octobris, anno domini millesimo quadringentesimo decimo quarto Testibus Roberto Senescallo comite de Fyfe et de Menteith gubernatore Scotie Waltero Senescallo comite Atholie et Cathenensis avunculis nostris carissimis Willielmo domino de Grahame Johanne de Wymes domino ejusdem militibus David de Moravia de Gask Thoma Brisbane Tristrano de Gothry scutiferis nostris et multis alijs.

XVII.—1422.

Contract between Thomas Dunbar, Earl of Murray, and Hugh Fraser Lord of Lovat.[a]

At Elgine, the ninth day of the month of August, the yere of our Lord a thousand four hundreth and twenty twa yhere, betuis ane noble Lord and ane mighty Thomas of Dunbar, Earle of Mureffe on the ta part, and ane nobyl man, Hutcheon Fraser, Lorde of the Lovet, on the tother part it is traitit, concordit, and impointit in form and manner as efter follows, that is to say, that the said Lorde of the Lovet is oblyst, and be thir letters oblysses him that his son and his ayre sall marie and tak to wyff ane dochtir of the said Lord the Erle gotin or to be gotin on Isobell of Innes, and the dochtir gotin betuis the said Lord the Erle, and the Isobell of Innes failiand, as God forbid they doe, the said Lord of the Lovet is oblyst that the saids his son and his ayir sall marie and tak to wyff ane dochtir of the said Lorde the Erle to be gotin betuix him and his spousit wyff; and this ayir, the son of the said Lord of the Lovet failiand, as God forbid he doe, but at he lyf, ane dochtir ayir or dochtirs ayirs the said Lord of the Lovet is oblyste as before, to give that dochtir his ayir or his dochtirs ayirs to the said Lorde the Erles son or sons to be gotin

[a] Copied from the original produced in the process betwixt the heir male and heir of line of the family of Lovat, for the title of Lovat [1730.]

betuix him and his spousit wyff; and their ayirs male or femle, sons or dochtirs of the said Lord of the Lovet, failiand, as God forbid they doe, the said Lord of the Lovet, is oblyst, and be thir letters oblyses him, that his ayirs whatsomever they be sall hald and fulfyl the trety, concordance and impointment now as before written to the said his Lord the Erle of Murcff; ffor the whilk mariage lelely and truly to be keepit in form and mauner as is before written to the said Lord the Erle but fraud or gyle, the said Lord the Erle has giffyn and grantit to the said Lord of the Lovet, and till his ayris, the baronys of Abertarch in blench ferm, after the tenor of his charter proportent in it selfe, and the warde and the releif of umquhyle William of Fenton, lord of the Baiky, and of Alexander of Chesholme, lord of Kinrossy, pertainand to the said Lord the Erle, within the Ard and Strathglas, in the schirefdome of Innerness, within the erledome of Mureff, after the tenor of the evidence made to the said Lord of the Lovet thereupon, and fifty marks of usuall monyth of Scotland, after the tenor of his obligation made thereupon In witnes of the whylk thing, the sealys of the said Lord the Erles, and the said Lord of the Lovets, interchangybly are to put, the place, day, moneth, and yhere before written.

XVIII.—1422.

Attestation by the Lawman of Orkney and certain Canons of the Church of St. Magnus, in favour of James of Cragy.

Universis Christi fidelibus ad quorum noticiam presentes litere pervenerint Wilelmus filius Thurgyse Legifer Orkadie Nicholayus de Anynd Laurencius de Torray presbiteri canonici ecclesie Sancti Magni in dicta Orkadia Johannes filius Magni Wylelmus de Erwyne Petrus de Paplay et Walterus Andree burgenses de Kyrkwaw salutem in Domino sempiternam Cum pium sit et meritorium testimonium perhibere veritati et maxime in casu quo veritatis occultatio prejudicium dedecus seu gravameni nferre poterit innocenti Hinc est quod nos predicti unanimiter testificamus ac fidele testimonium perhibemus quod Jacobus de Cragy dominus de Hupe lator presencium est vir legitimus domini

nostri Regis Norwegie ab eodem domino nostro rege personaliter manucaptus ac infra terras dicti domini nostri regis videlicet in predicta Orkadia permanens ac disponsatus cum Margareta ex legitimo thoro procreata filia honorabilis domine Elyzabeth de Stratherne que sequidem Elyzabet ex legitimo thoro procreata erat filia quondam reverendi ac venerabilis domini domini Malisij de Stratherne quondam comitis supradicte Orkad'e Que vero Margareta sponsa dicti Jacobi procreata ex legitimo thoro honorabilis et potentis domini domini Henrici de Sancto Claro comitis quondam suprascripte Orkadie cujus animam omnipotens Quiquidem Jacobus ex legitimo thoro procreatus est homo laudabilis et honeste conversationis bone fame nec in aliquo falso crimine irritus ac legitima valeat admitti nec non in numero fidelium fidedignorumque digne ac laudabiliter numerari Insuper universitati vestre per presentes quod dictus Jacobus supradicti domini nostri regis legum hucusque fidelis et verus exstiterat observator assiduus coadjutor ac secundum eorundem ac indeficiens supportator non inferens nec secundum quod sua potestas pretendebat eidem communitati nostre preterea a vestre universitatis noticia occultum quod idem Jacobus erat firm auxiliator reverendo in Christo Patricio olchester permissione divina quondam episcopo nostro Orkadensi catholico et canonice instituto eidem domino episcopo sueque ecclesie in multis adversis qui per adversarios dicti episcopi quam plures injustos labores multos odia molestias dampna inquietationes ac injurias sustinebat Qua propter instantissime deprecamur quatinus prememorato Jacobo tanquam viro legitimo dicti domini nostri regis in singulos amicabiles favorabiles propiciabiles amore dicti domini nostri regis Norwegie et nostro fideliter ac firmiter existatis non dampnum molestiam gravamen inquietanciam sive injuriam dicto Jacobo vel sibi herentibus in personis aut in rebus inferentes aut secundum vestrum posse illicite inferri quovismodo permittentes prout cupitis ejusdem Jacobi amicos et nos vestratibus esse facturos sic ubi quod nos si contigerint evenire In quorum omnium testimonium sigilla nostra singula divisim presentibus sunt appensa apud Kyrkwaw decimo die mensis Novembris anno Domini millesimo quadringentesimo vicesimo secundo.

XIX.—1437.

Confession of Walter Stewart, Earl of Athole.[a]

In nomine Domini amen Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnatione Domini millesimo quadringentesimo tricesimo septimo die vero Martij vigesimo sexto indictione decima quinta pontificatus santissimi in Christo patris ac domini domini Eugenij divina providentia pape quarti anno septimo In mei notarij publici et testium subscriptorum presentia personaliter constitutus dominus Walterus Stewart comes de Atholia quondam ac dominus de Methven qui olim duxit dominam Margaretam de Barclay dominam de Brechin in uxorem presentem post confessionem suam sacerdoti completam in sua ultima voluntate asseruit et in animam propriam juravit quod terras baronie de Brechin-Barclay in manibus regis Scotie resignavit post sue uxoris decessum habuit ac possidebat simpliciter ex curialitate regni Scotie et quod postquam domina prescripta uxor sua quondam viam universe carnis fuerat ingressa teras predicte baronie de Brechin-Barclay in manibus regis Scotie resignavit preterea terras quas de curialitate regni Scotie ex parte quondam sue uxoris domine prescripte possidebat et habuit in Fiffe nunquam in regis manibus resignavit Verum asseruit quod David Steuart filius suus quondam et heres nunquam fuit in feodo dictarum terrarum baronie de Brechin-Barclay constitutus in Fiffe quas ut supradictum est ipse comes habuit ex curialitate regni Scotie post sue uxoris decessum Super qua confessione premissorum potens dominus Thomas de Maule miles a me notario publico infrascripto fieri petijt presens publicum instrumentum Factaque fuerunt de confessione et assertione in pretorio de Edinburgh hora quasi tertia post meridiem sub anno indictione die mense et pontificatu quibus supra presentibus ibidem Joanne de Sandilands de Caldar Andrea Ogilvy de Inchemartin militibus Thoma de Fothringhame de Baluyne Thoma de Cranstoun vicecomite deputato de Edinburgh et Roberto Logy armigero cum multis alijs testibus vocatis specialiter et requisitis.

Et ego Malcolmus Lufitholt presbiter Dumblanensis diocesis etc.

[a] [From the original at Panmure House.]

XX.—1437.

Sasine by Alexander, Master of Gordon, of the lands of Tullibody, in favour of Andrew Gray.[a]

In nomine Domini amen Per hoc presens publicum instrumentum cunctis pateat evidenter Quod anno a nativitate ejusdem millesimo quadringentesimo trigesimo septimo die vero decimo quarto mensis Octobris indictione decima quinta pontificatus santissimi in Christo patris ac Domini nostri domini Eugenii divina providentia pape quinti anno septimo in mei notarii publici et testium subscriptorum presentia personaliter constitutus providus vir Robertus Malcolmson burgensis burgi de Striveling quandam literam papiream scriptam sigilloque nobilis et potentis domini Alexandri de Cetone militis magistri de Gordon cera rubea affixo sigillatam mihi notario publico presentavit et tradidit perlegendum cujus vero litere tenor sequitur in hec verba Alexander of Cetone, mestir of Gordon, to our well belufit Robert Malcolmson, burges of Striveling, our baillie for this time specially deput, greeting For that we haf grantit to our well belufit Andrew Gray of Fouls, twenty punds worth of lands, lying within our barrony of Tullebothy, within the sherriffdome of Clackmannan Wherefore, to you we bids and commands, that but delay ye gif heretabil seasine to the said Andrew Gray, or his attorney, of the said twenty pounds worth of land, efter the tenor of his charter made to him thereupon, ye haldand thir our letters for your warrand Written under our sele, at Edinburgh the seventh day of the moneth of October, the year of God, a thousand four hundred thritty seven years, befor thir witnesses,—John the baillie of Aberdeen, Alexander Bannarman, Christi Dunyng, John of Fodringham, and John of Hadingtoun, burgeses of Perth, with sundry others Quaquidem litera per me recepta ac alta et intelligibili voce perlecta predictus Robertus Malcolmson ballivus dicti Alexandri de Cetone ad hoc specialiter deputatus nobili viro Andree Gray de Foulis presentavit presenti et in quadam domo ville de Tullibothy existenti viginti libratarum terrarum baronie de Tullibothi [secundum] quod in cartis et evidentiis exinde dicto Andree con-

[a] Copied from the original belonging to Lord Gray.

fectis plenius expressum et continetur salvo jure quorumlibet per lapidis et terre traditionem sasinam hereditariam contulit cum effectu De et supra quibus omnibus et singulis dictus Andreas Gray a me notario publico sibi publicum fieri petiit instrumentum Acta fuerunt hec hora quasi secunda post meridiem loco anno die mense indictione et pontificatu quibus supra Presentibus providis et honestis viris Roberto Gray Roberto Lindsay scutiferis Johanne Irland burgensibus de Perth Hugone de Norton Thoma de Forrester burgensibus burgi de Striveling Gilberto Allenson Willelmo de Inche Johanne Gollane et Johanne Parvo husbandis dicte ville de Tullibothy testibus cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Johannes Atherney notarius publicus etc.

XXI.—1437.

Band of warrandice, Lord Gordon and his sone, to Andrew Gray of Broxmouth, their Cousin.[a]

Be it kend till all men be thir present letters, us Alisander of Seton, Lord of Gordon, and Alisander of Gordon his sone and ayr appearand, knichts, to be haldin and sikkerly to be oblist to our well beloved cousin, Androw Gray of Braxmouth, that gif it happens him or his ayrs, that he may not na them joyse and brouk, the twa west parts, and the half part of the lands of Tullibothy, lyand within the shirriffdome of Clackmannan, gifen be us to the said Androw, in maner and forme as our charter proports, we oblisse us bath as ane, and ane as bath, that sic impediment beand made, within forty days next thereafter, to pay to the said Androw, or his ayrs, twelve thousand merks of usual money of Scotland, within the kirk of Fouls, upon a day, for his service and fee to us done, and to the payment therof we obliss us our ayris and executors, lands, rents, and possessions, and all our gudes movabil and immovabil, whatsomever thay be found to be distrenyit, poindit and at the will of the said Androw and his ayris, to be sauld without liefe of any judge

[a] [Copied from the original belonging to Lord Gray.]

spirituall or temporall, while als well of their costs, skaiths, expences, and interesses, gif they any sustain, fullely be made assith as of the principall soum, but fraud or gyle. In witnes hereof, to thir present letters, we haue set our sels, at Perth, the twelfth day of November, the year of our Lord one thousand four hundred and threttie seven.

XXII.

Documents anent the claim of the Family of Erskine to the Earldom of Mar.

1.—Indenture between the King and Council, and Robert, Lord Erskine, 1440.[a]

This indentur, made at Stirlin the tenth day of the moneth of August, the year of grace, 1440, purports and bears witnes, that it is accorded be way [of] amycable composition, betuixt our soveraign Lord the King, and his councill underwritten, on the ta part, and ane noble Lord, Sir Robert, Lord of Erskyn, with deliverance of his councill, on the tother pairt, in maner and form as efter follows, that is to say, that for the good and quiet of the land, our forsaid soveraign Lord will, with advice of his said councill, gar deliver the Castle of Kildromie to the said Lord Erskyn, right furth in all goodly haste as the Kings Castle, to be kept by the said Lord of Erskyn to the Kings behooff and age, and than to be delivered to the King but obstacle; the whilk done, the said Lord of Erskyn, or his heirs, shall come befor the King and the three Estates, and there propone and shew furth his claims, rights, and proceses, and his right by vertue of proofs, the whilks seen and considered, shall be judged and admitted as far as they are of force and of value to stand in such effect, as the three Estates think that they ought to do; and where they be found to be reformed, the King shall gar his chappell to be open, and the law ready, but stoping to the said Lord to pursue his right as far as law will, all things touching the said matters and claims standing, remaining,

[a] [Copied from the original belonging to the Earl of Mar.]

and cessing in the meyntime, but prejudice of any party in such time and place as they stand in now: and forthmare it is accorded, that all the fruits and revenues belonging half the Earledom of Mar, to which the said Lord of Erskyne claimes as his property, shall remaine with the said Lord, untill the ish of the said tyme, and then to be comptable gif the Castle bees judged to the King, allowing till then a sufficient fee for the keeping of the said Castle, and attour it is accordit, that whatsoever tyme the said Lord be freely entered in the Castle of Kildromy forsaid, be the deliverance of the said councill, the said Lord shall truely, but any obstacle, deliver the Castle of Dumbarton freely at the advice of the King and three Estates, he having to his warrand from him and his heirs the Kings letter under his great seall, of discharge, together with letters of quittclaime and remission for him and his son, and all his men of all tyd done from the day of his entry in the said Castle of Dumbarton, to the day of the making of thir present letters And till all and sundry the forsaids conditions and appointments leilly and truely to be keept and fulfilled, to the part of the indentur remaining with the said Lord Erskyn, our soveraign Lord the King has gard affix his privy seall, and the said Lord of Erskyn is obliged for him and his heirs be all lands, possessions, and gudes, had and to be had And in witnesing hereof, to the part of the indentur remaining with our soveraigne Lord the King, the said Lord of Erskyn hes gart set his seal, at day, place, and year befor written, and thir are the names of them being in the forsaid councill, present upon the , that is to say, John and Michael, bishops of Glasgow and Dumblane; Thomas and David, abbots of Paislet and Cambuskenneth; Duncan, lord Cambel, Alexander, lord of Montgomery; David , Haya of Lochervart; Alexander Levinston of Calentar, John of Rothven of that ilk, John Sebald of Balgony, Robert of Levingston of Drumry, John of Dumbar of Cumnow, John of Ogilvie of Lentrethin, Alexander Ramsay of Dalwolsy, Andrew Stewart of Albany, Robert of Creichton of Sanchar, John of Cokburn, Walter of Ogilvie, William of Cranston, Gilbert of Seton, and James of Hamilton, knights; John Sympil of Eliotston, William of Cokburn of Ormston, Robert of Conyngham, and Robert Stewart of Bule, squyres; James of Parkle, Lancelot of Abernethi, John of Drumfress, William Bully, David of Calbrathe, and Mr. John of Cadyhow, commissars of burrows.

2.—Transumpt under the great seal of James IV., of a process anent the service of Thomas, Lord Erskine, in the half of the Earldom of Mar, 1509.[a]

Jacobus Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos et concilij nostri dominos diligenter inspexisse et mature considerasse quandam evidenciam in nostro registro inventam continentem quendam processum sub subscripcionibus manualibus trium notariorum signatum ac sigillis quondam Johannis domini Lindesay de Byris justiciarij generalis ex parte boreali aque de Forth, et Walteri Lindesay de Kinblachmont vicecomitis de Abirdene pro tempore et certorum aliorum dominorum protunc ad confectionem dicti processus existentium sigillatum unacum quodam retornato sigillato sigillis predicti vicecomitis et dominorum existencium super inquisicionem predicti retornatus super peticione et clameo quondam Thome domini Erskin super dimidietate comitatus de Mar ad hos finem et effectum quod predicte evidencie et processus deducantur in publicam formam tanquam justum et verum exemplar earundem ad ipsos interesse habentes et ad quorumcunque noticiam debeant publicari propterea nos cum avisamento dictorum nostri concilij dominorum per publicum mandatum super januas pretorij nostri de Edinburgh prius affixum et debite executum intervallo quindecim dierum interveniente ordinavimus summonere et monere omnes interesse habentes in et ad predict. evidenciam et processum ad videndum et audiendum easdem certis die et loco coram nobis et nostri concilij dominis cum debita intimacione ut moris est transumi exemplari et in publicam transumpti formam poni debere ipsis vocandis existentibus vocatis et minime comparentibus nos in pena contumacie ipsorum sic existentium summonitorum monitorum et minime comparentium decreuimus deliberamus et declaramus predictos evidenciam et processum sanos integros non rasos non cancellatos nec in aliqua sui parte suspectos exemplari publicari et transsumi ac eosdem appensione nostri magni sigilli corroborari ac pro certis causis animum nostrum moventibus cum dilecto familiari nostro Alexandro Elphinstoun de Innernochty et heredibus suis imperpetuum

[a] [From the original belonging to the Lord Elphinstone.]

remansuros in supplementum et corroboracionem jurium sui infeofamenti sibi Alexandro et heredibus suis super terris et baronia de Innernochty jacentibus infra comitatum nostrum de Mar confecti Quarum quidem evidencie et processus per nos legittime recognite et in hoc nostro transumpto inserte tenores sequntur in hunc modum Universis presentes literas jnspecturis Joannes dominus Lindesey de Byris justiciarius domini nostrj regis ex parte boreali aque de Forth generaliter constitutus et Walterus Lindsay de Kinblathmonth vicecomes hac vice de Abirdene nomine tutorio magnifici domini Dauid comitis de Crawfurde salutem in omnium salvatore Vestre vniversitati notum facimus per presentes quod die confectionis presentium literarum in pretorio burgi de Abirdene in itinere justiciarie ibidem tento in presentia excellentissimi principis ac domini nostri metuendissimi domini Jacobi regis Scotorum illustrissimi supremi domini nostri ac plurimorum prelatorum magnatum procerum baronum nobilium et libere tenentium in magno numero congregatorum Jacobus Skene de eodem Joannes Mowat de Loscragie Andreas Buchan Thomas Allirdes de eodem Ranaldus Chene de eodem Walterus Berclay de Tolly et Joannes Scrogs senior legitime et peremptorie summoniti virtute literarum summonitionis capelle regie ad certum diem dicti itineris ad comparendum coram domino nostro Rege et suis consulibus ad respondendum super eorum errore et injusta determinatione et responsione cujusdam brevis inquisitionis capelle regie impetrati per quondam nobilem dominum Robertum dominum Erskin et pro minus justa deliberatione retornati dicte inquisitionis penes dimidietatem terrarum comitatus de Marr cum pertinentiis jacentium infra vicecomitatum de Abredein de mandato domini nostri Regis vocati ad comparendum personaliter comparnerunt Quibus comparentibus personaliter comparuit nobilis dominus Thomas dominus Erskin pro suo interesse post nonulla per ipsum Thomam allegata et in scriptis ostensa pro defensione erroris dictarum personarum coram supremo domino nostro Rege prefato et subscriptis dominis viz. Reuerendis in Christo patribus ac dominis Georgio episcopo Brechinensi cancellario Scotie Joanne episcopo Moraviensi ac magnificis et potentibus dominis videlicet Alexandro comite de Huntlie domino de Badzenach Willelmo comite de Erroll connestabulario Scotie Willielmo domino Keith regni Scotie marescallo Georgio domino Leslie Roberto domino Fleyming et me dicto domino Joanne de Lindsay de Byris dominis Joanne Ogilvie de Lintrethin

Waltero Ogilvie de Deskfurde Willelmo Leslie de Balchanne Willelmo Cranstoun de Corsbie et Waltero Stewart de Strathoun militibus Willielmo de Moravia de Tulibardin et Niniano Spot computorum rotulatore supreni domini nostri Regis Dicte persone super dicta inquisitione existentes in camera predicti pretorii singulatim examinati et tactis dei evangeliis jurati penes responsionem dicti erroris prefate inquisitionis impetrate per dictum quondam Robertum dominum Erskin et deliberationem retornati desuper datam deposuerunt modo et forma prout sequitur Primo viz. dictus JOANNES SKROGS SENIOR juratus quia antiquior inter ceteros interrogatus primo per se vtrum fuit super responsione dicte inquisitionis et deliberatione retornati ejusdem vel non Respondit quod sic fuit et super deliberationem dicti retornati Interrogatus etiam vtrum aliquam habuit notitiam de quondam Issobella comitissa de Marr ratione cujus dictus quondam Robertus dominus Erskine prosequutus fuit demidietatem dicti comitatus cum pertinentiis Respondit quod de se non habuit notitiam Interrogatus etiam in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isobelle attigit Respondit quod non novit tempore deliberationis dicti retornati nec vnquam de post in quo gradu consanguinitatis dictus quondam Robertus dicte quondam Isobelle attigit nec quod consanguinei fuerunt quoquo modo Interrogatus si aliqui personarum super dicta inquisitione existentes contra tenorem dictj retornatj determinarunt et responderunt et si sic quot persone sic fecerant Respondit quod quinque persone quorum Gilbertus Menzies et Joannes Vaus duo fuerunt qui deliberarunt contra dictam literam retornati et quod de tribus personis dictorum quinque dictus deponens non bene recordatur Insuper asseruit dictus Joannes Skrogs suo juramento quod quondam dominus Alexander Forbes vicecomitis de Aberden tunc tempore deputatus seruiuit dictum breue et quod habuit terras de Strathdie de dicto domino Erskine et quod publica vox fuit quod easdem habuit terras pro suis suportatione et juuamine pro deservicione dicti brevis Et dixit dictus Joannes Skrogs quod per blandia verba et ficta mendacia sibi et dictis personis secum super dictam inquisitionem existentibus eiis per Joannem Hadingtoun et ceteros proloquitores dicti domini Erskine et alios sibi pertinentes facta seducti fuerunt asserendo se bene et luculenter nunc scire quod attentis literis et juribus domini nostri Regis tunc sibi cognitis ipse et cetere persone super dictam inquisitionem erraverunt et injuste dictam literam retornati deliberarunt penes demidietatem dictarum

terrarum comitatus de Marr propter quod dictus Joannes Skrogs humillime implorauit dictum supremum dominum nostrum Regem ponendo se in voluntate ejusdem domini nostri Regis vt sibi remittere dignaretur prefatam culpam prefati erroris per ipsum commissam JACOBUS SKENE DE EODEM vt dictum est juratus interrogatus de articulis precedentibus respondit conformiter sicut dictus Joannes Skrogs et dixit quod bene novit quod supremus dominus noster Jacobus Rex Scotorum vltimo defunctus fuit in possessione dicti comitatus de Marr post decessum quondam Alexandri comitis de Mar et quod supremus dominus noster post sui decessum recepit integras firmas redditus et proficua ejusdem comitatus Et dixit dictus Jacobus Skene suo juramento quod si cognouisset cartas literas et jura dicti supremi domini nostri Regis die quo fuit super dicta inquisitione sicut nunc noscit pro quacunque mundi re non deliberasset contra jus regis sicut fecit et addidit quod bene scit quod ipse et cetere persone alias supradicta inquisitione existentes errauerunt et iniuste deliberarunt propter quod se posuit in misericordia domini Regis et petiit gratiam et veniam ab eo ANDREAS BUCHAN etiam juratus et interrogatus de premissis conformiter in omnibus dixit sicut Jacobus Skene et quod bene sciuit quod quondam Thomas Stewart comes de Garuiache obiit sasitus et vestitus vt de feodo de dicto comitatu de Mar Et quod Elizabetha comitissa de Buchan sponsa sua habuit tertiam partem terrarum ejusdem comitatus de Marr per decessum suum RANALDUS CHENE juratus deposuit conformiter sicut dictus Andreas Buchan. WALTERUS BERCLAY DE TOLLY juratus et interrogatus ut supra respondit sicut dicti Jacobus Skene et Andreas Buchan et vltra ea per eos dicta addidit suo juramento quod presens fuit cum quondam Alexandro domino Gordoun et sibi seruitor eo tempore quando ipse dominus Gordoun personaliter tradidit statum possessionem et sasinam hereditariam dicto Thome Stewart de dictis terris comitatus de Marr et quod vltra hoc presens fuit super assisa tertie dicte sponse prefati Thome Stewart quando seruita fuit de sua tertia dictarum terrarum comitatus de Marr.

Quibus personis supradictis ad longum examinatis modo et forma vt premissum est dictus dominus noster Rex vna cum dictis dominis de dicta camera pretorii ad magnam domum eiusdem reacessit pro justicia dicto domino Erskine de suo clameo dictarum terrarum dicti comitatus de

Marr facienda Ideo eodem domino Erskine vocato pro suo pretenso interesse et comparente in dicto pretorio coram dicto domino nostro Rege et prelatis magnatibus proceribus baronibus et quam pluribus dominis et libere tenentibus dicti vicecomitatus de Abredeine et diuersorum aliorum vicecomitatuum in magno numero congregatis dictus dominus cancellarius dixit dicto domino Erskine quod considerato quod ipse sepissime in parliamentis concilijs generalibus et publicis congregationibus postulauit justiciam a domino Rege et breuia inquisitionis capelle regie sibi dari et seruiri quid nunc vltra hoc petiit et desiderauit de dictis terris comitatus de Marr Et dictus dominus Erskine respondit quod nihil plus quam breue inquisitionis et executionis et deseruicionem ejusdem sicut alias quam pluries petiit et desiderauit Ad quod prefatus dominus cancellarius recitando dixit Ego tanquam cancellarius domini nostri Regis hic presentis nomine et ex parte ejusdem concedo vobis dictum breue inquisitionis et executionem ac justicie complementum ejusdem vobis fieri de dictis terris ita quod de domino nostro Rege nec de me tanquam cancellario suo justam causam querimonij in defectu executionis justicie super premissis non habeatis in futurum super quibus peto instrumentum a vobis Thoma Broun clero notario publico Tunc vero dictus dominus Erskin recessit ad se auisandum vtrum vellet tunc habere breue seruitum vel non et mature auisatus reintrando personaliter manu sua propria presentauit breue inquisitionis capelle regie alias per ipsum impetratum pro executione eiusdem absque vlteriori prorogatione facienda Tunc vero eum consensu dicti domini Erskin subscripti expressati et specificati in litera retornati dicte inquisitionis dicto die deseruiti presentibus affixa electi fuerunt super dictam inquisitionem Quibus personis tactis sacrosanctis dei evangeliis ut moris est iuratis dictus dominus Erskine vna cum Archibaldo Stewart et Alexandro Grahame prolocutoribus suis petiit dictum breue inquisitionis publice perlegi Quo perlecto asseruit dictus dominus Erskin dictum quondam Robertum dominum Erskin patrem suum obiisse vltimo vestitum et sasitum vt de feodo ad pacem et fidem domini nostri regis de dicta dimidietate comitatus de Marr Et quod ipse Thomas est legitimus et propinquior heres dicti quondam Roberti patris sui de dictis terris cum pertinencijs et quod est legitime etatis et quod dicte terre in manibus domini nostri Regis existunt legitime per mortem dicti quondam Roberti patris sui in defectu ipsius Thome jus suum

hucusque prosequentis per spatium quatuor annorum vel eo circa Ad que predicta dictus dominus cancellarius nomine dicti domini nostri Regis respondit quod contrarium premissorum per dictum dominum Erskin et suos prolocutores recitatorum penes responsionem dicti brevis est verum asserendo dictum dominum Erskin non obiisse vestitum neque sasitum de dicta dimidietate comitatus de Marr cum pertinentiis quia asseruit dictum dominum nostrum Regem tempore obitus dicti domini Erskin fuisse vestitum in dictis terris in vera legitima et pacifica possessione earundem terrarum per decessum quondam illustrissimi principis domini nostri Regis ultimo defuncti genitoris sui Secundario ad secundum punctum inquisitionis dixit quod quamquam dictus Thomas est legittimus et propinquior heres dicti quondam Roberti patris sui non tamen ad dictas terras heres vmquam fuit Et quantum ad punctum inquisitionis in cuius manibus nunc existunt dixit quod verum est indubitanter quod dicte terre sunt in manibus domini nostri Regis tanquam de sua proprietate et hereditate et non in defectu dicti heredis cum ipse dominus Erskin heres non est nec esse potest ad dictas terras Nam dixit quod attento quod dominus noster Rex vltimo defunctus die obitus sui obiit vestitus et in vera legittima et pacifica possessione dictarum terrarum vt de sua hereditate et proprietate dominus noster Rex modernus eandem accepit investituram et veram et legittimam possessionem dictarum terrarum tempore quo sibi coronam regiam et sceptrum recepit cum qua possessione quam genitor suus habuit asseruit dictus dominus cancellarius dominum nostrum Regem de iure remanere debere sic quod dictum breue pro prefato domino Erskin in nullo seruiri possit Et vltra hoc dixit quod dictus dominus Erskin in nullo gradu consanguinitatis Isabelle comitisse de Mar attinet Nam dixit quod non scitur per quemcumque viventem quod dictus quondam Robertus fuit consanguineus dicte Issobelle ratione cuius idem quondam Robertus vendicabat jus ad dimidietatem dicti comitatus Dixit etiam dictus dominus cancellarius quod per breue inquisitionis dictus Thomas dominus Erskin obtinere nunquam possit dictas terras nec habere introitum legittimum in eisdem in casu quo ipse propinquissimus fuisset in consanguinitate dicte quondam Issabelle quia post decessum ejusdem Isobelle Thomas Stewart comes Buchanie obiit vestitus et sasitus vt de feodo ad pacem et fidem domini nostri Regis de dictis terris comitatus de Marr cum pertinentiis ad quod

fortificandum dixit quod sponsa ipsius Thome post sui decessum optinuit tertiam partem dictarum terrarum comitatus de Marr Et quantum ad leseruitionem brevis inquisitionis alias deliberatam pro dicto quondam domino Erskin asseruit illud dominus cancellarius prefatus nullius esse roboris seu vigoris propter causas predictas Et quod processus dicte inquisitionis et persecutio ejusdem nullius debet esse vigoris quia dictum breue inquisitionis seruitum non fuit ex quadraginta dierum premonitione et quia contra inhibitiones domini nostri Regis et literarum suarum in plena curia dominus Alexander Forbes vicecomitis de Abredene deputatus dictum breue seruiuit et differre noluit literis regiis ac etiam quia dominus noster Rex nec consules sui pro tempore premuniti fuerunt de die limitato pro deseruitione dicti breuis ita quod potuisset suos habuisse prolocutores et aduocatos ad defendendum ius suum et quod in casu quo omnia predicta facta fuissent juxta desiderium dicti domini Erskin sicut recitata sunt per eundem que tamen facta non fuerant innanis et nullius virtutis seu vigoris fuit prosecuito dicte inquisitionis pro et ex eo quod in tenera etate domini nostri Regis actum et statutum fuit per tres regni Scotie status quod dominus noster Rex modernus remaneret eum vniuersis et singulis terris redditibus et possessionibus de quibus quondam supremus dominus noster Rex vltimo defunctus obiit vestitus vsque ad dicti domini nostri Regis etatem legittimam juxta ius commune Nam asseruit quod nullus baro eici nec implicari debet de sua hereditate vsque suam etatem legittimam et quod multo minus dominus noster Rex repelli debet a sua hereditate quia peioris conditionis esse non debet dominus Rex quam minimus baro regni sui Propter que et plura alia per dictum dominum cancellarium nostri Regis recitata et ostensa idem dominus cancellarius asseruit dictum dominum Erskin nullum jus habere ad dictas terras comitatus de Marr vel aliquam partem earumdem Tunc vero produxit dictus dominus Erskin ad ostendendum pretensum ius suum dictarum terrarum quandam cartam dicte quondam Issabelle de dictis terris confectam post diuersas rationes et obligationes per ipsum ostensas quibus auditis et intellectis publice produxit dictus dominus cancellarius pro parte domini Regis quandam cartam tallie dicte quondam Issabelle in sua pura viduitate factam pergameno suoque sigillo sigillatam de data precedente datam alterius carte supradicte factam domino quondam Alexandro comite de Mar marito suo et heredibus de corpore suo legittime procreatis

seu procreandis quibus forte deficientibus veris et legittimis heredibus dicti Alexandri quibuscumque virtute cuius carte declarauit dictus dominus cancellarius dominum nostrum Regem verum heredem ac legittimum possessorem dictarum terrarum attento quod dictus quondam Alexander comes de Marr obiit bastardus et quod obiit vestitus et sasitus ut de feodo de dicto comitatu de Mar cum pertinentijs cui Alexandro dominus noster Rex heres legittimus fuit ratione bastardie quibus omnibus supradictis auditis et ad plenum intellectis dicte persone electe super dicta inquisitione accesserunt ad inuicem pro responsione et determinatione dicte inquisitionis Que persone post longam communicationem et maturam deliberationem inter eosdem habitam deliberarunt et determinarunt secundum tenorem litere retornati presentibus affixi In quorum et singulorum fidem et testimonium premissorum sigilla nostra vna cum sigillis quorundam dominorum in dicto itinere in prefato pretorio existentium tempore quo premissa facta fuerant et cum subscriptionibus notariorum subscriptorum presentibus sunt appensa quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo.

Et ego Thomas Broun clericus Sancti Andrec diocesis publicus autoritate apostolica notarius, premissis omnibus et singulis dum sic ut premittitur, fierent dicerentur et agerentur, una cum dictis dominis aliisque baronibus et libere tenentibus in dicto itinere congregatis presens personaliter interfui, eaque dici, vidi et audivi, ideoque presentes literas, meis signo et subscripcione manuali signavi requisitus in fidem et testimonium premissorum.

Et ego Joannes Layng clericus Sancti Andree diocesis publicus &c.

Et ego Joannes Taillefeir clericus Sancti Andree diocesis publicus &c.

Hec inquisitio facta apud Abredein in pretorio ejusdem coram Waltero Lindsay de Kinblathmont vicecomitis de Abredein deputato quinto die mensis Novembris anno Domini millesimo quadringentesimo quinquagesimo septimo per hos subscriptos viz. Willelmum comitem de Errolle dominum Alexandrum dominum Montgomerie Joannem dominum Lindsay de Byris Georgium dominum Lesly Robertum dominum Fleming dominos Willelmum Lesly de Balwhan Alexandrum Hoome de eodem Walterum Stewart de Strathdoun Johannem Ogilvie de Luntrethen Walterum Ogilvie de Deskfuird milites Walterum Berklay de Tollie

Alexandrum Fraser de Phillorth Alexandrum de Dunbar Jacobum Skeen de eodem Andream Buchan Alexandrum Menzies Ronaldum Chein Recarlum Vaus Dauid Dempster de Vchterles Joannem Skrogis Thomam Allardes Qui jurati dicunt quod quondam Robertus dominus Erskin pater Thome domini Erskine non obiit vestitus nec sasitus ut de feodo de demidietate terrarum comitatus de Mar cum pertinenciis jacencium infra vicecomitatum de Abredein per ipsum prosecuta Et quod dicte terre sunt in manibus domini nostri Regis legitime per mortem quondam serenissimi principis Jacobi Scotorum Regis vltimo defuncti genitoris supremi domini nostri a tempore obitus predicti quondam serenissimi principis domini nostri supremi In cujus rei testimonium sigillum dicti vicecomitis deputati vna cum sigillis quorumdam qui dicte inquisitioni intererant huic retornato breui capelle intus clauso est appensum anno die mense et loco predictis Cuiquidam transumpto exemplato et transcripto in omnibus clausulis punctis et articulis ut predictum est volumus et pro nobis et successoribus nostris precipimus et mandamus quod talis et tanta illesa immolata et indubitata fides in judicio et extra judicium in omnibus locis detur et adhibeatur sicut dictis principalibus processui et retornato ac si producti et publicati erant daretur et adhiberetur[a] In cujus transumpti fidem et testimonium prefat. evidenciam processum retornatum et subscripciones notariorum in se ut premittitur continentis magnum sigillum nostrum huic transumpto apponi fecimus Testibus reverendis in Christo patribus Willelmo episcopo Aberdonensi nostri secreti sigilli custode Jacobo postulato Glasguensi thesaurario nostro dilectis consanguineis nostris Alexandro comite de Huntlie domino Gordoun et Badzenach Archibaldo comite de Ergile domino Campbele et Lorne magistro hospicii nostri Matheo comite de Levenax domino Dernlie Alexandro domino Hume camerario nostro Andrea domino Gray justiciario nostro et dilecto clerico nostro magistro Gawino Dunbar archidiacono Sancti Andree nostrorum rotulorum et registri clerico Apud Edinburgh decimo quinto die mensis Maii anno Domini millesimo quingentesimo nono et regni nostri vicesimo primo.

[a] [In printing the "Declaracio Comitatus de Mar," engrossed in the above Transumpt, the latter has been collated with the original Deed, in the General Register House, Edinburgh.]

3.—Information of the House of Erskine's right to Kildrumie, being a part of the Earledome of Mar. By Sir Thomas Hope.

It is out of question, that the house of Erskine had als good right to Kildrumie as to the earledome of Mar, because Kildrumie was the cheif maner place of the said earledome of old.

It is also out of question, that the right of the said earledome of Mar pertains to the house of Erskine by lawfull succession, through the decease of umquhill dame Isabell Douglas, last countess of Mar, of the old blood.

For umquhil Gratney, Earle of Mar, begat upon the sister of King Robert Bruce, ane son called Donald, and a daughter called Helen. Donald had a son called Thomas, who was thereafter Earle of Mar, and deceast without children,[1] and a daughter called Margaret, who was married to William, Earle of Douglas, and with him begat only one daughter, called Isabell Dowglas, who, being barren, dyed (tho' being twise married, as shall be showen afterwards) without issue, and so in her ends the race of Donald, Earle of Mar, and thereby the title and right of the Earle of Mar returns to the heirs of Helen Mar, who was sister to Donald. This Helen Mar was married to Sir John Menteith, who begat on her a daughter, called Christian Menteith, who was married to Sir Edward Keith, brother to the mershall, of which marriage was procreat only one daughter, called Janet Keith, who was married to Sir Thomas Erskine, and with him procreat Robert, Lord Erskine, who was afterwards styled Robert, Earle of Mar, being in his own time served, retoured, and seased in the said earledome, as heir to the umquhill dame Isabell Douglas. Likeas, by the computation foresaid, the said Robert, Lord Erskine, and the said dame Isabell were thirds and fourths of kin.

Albeit the house of Erskine had the undoubted right to the said earledome of Mar, yet they were debarred from the possession thereof for many ages, by the iniquity of the time, in maner after deduced.

For the said dame Isabell Dowglas, heretrix of Mar, had to her first husband, Malcolme Drummond of Concraige, who dyed without succes-

[1] [See Godscroft, page 79.]

sion. Thereafter she was ravished by Alexander Stewart, bastard son to Alexander, Earle of Buchan, who was third lawfull son to King Robert the second; and the time of her ravishing, he moved her to give him infeftment of the said earledome. But neither with him had she any children.

The said dame Isabell Douglas deceased without heirs of her body, before the said Alexander her spouse, about the space of twenty two years; and, dureing his lifetime, the Lord Erskine could have no access to the earledome of Mar, because of his liferent, or conjunct fee right by vertue of his infeftment.

After the decease of the said Alexander her husband, which was in anno 1436, King James the First then reigning, intruded himself in possession of the earledome of Mar upon this pretext, that the said Alexander, deceaseing bastard, by the priviledge of the crown, the said earledome pertained to the King, and that the Lord Erskine could have no right thereto, as heir to umquhill dame Isabell Dowglas, because she had resigned her right in favours of the said Alexander. King James the First haveing possessed himself of the said earledome deceast the next year, 1437; and because the Lord Erskine urged instantly his right and succession, therefor there was an act of parliament carried in the first year of King James the Second, ordaining that the King should continue in the possession of the haill lands bruiked by his father untill his perfect age of 21, and so the Lord Erskine was debarred all the while from the said earledome.

Yet the Lords Erskine was ever carefull to preserve the lawfull right, and that not only after the death of the said Isobell Dowglass and her spouse, but also in their time; for umquill Sir Thomas Erskine, who married Janet Keith the righteous heir of Mar, being informed that dame Isabell Dowglas, by instigation of her husband, minded to make resignation of the said earledome in haill or in part, in prejudice of the righteous heir, did mean himself by supplication to King Robert the Third then reigning, desireing him not to receave such resignations, whereunto his Majesty was pleased to harken, and gave furth his letters patent under the great seall, which are yet extant, whereby he promised not to receave any resignation in prejudice of the heirs of the said Sir Thomas Erskine, who was to succeed to the said earledome.

Item, within two years after the death of the said Alexander Stewart,

in anno 1438, Robert, Lord Erskine, son and heir of the said Sir Thomas, procreat with dame Janet Keith, obtained himself served and retoured to the said earledome of Mar, as nearest heir of blood to the said dame Isabell Douglas, and that by his retours, one thereof in Aprile, 1438, whereby he is retoured to one-half of the said earledome, upon the which retour he is seased; and ane other in October, 1438, whereby he is retoured to the other half of the said earledome, but not seased; and because the Lord Chrictoun, chancellour, did refuse to give precepts upon the second retour, for seasing of the said umquhill Robert, Lord Erskine, therefor the said Robert, Lord Erskine, (styled in his own time Earle of Mar) in presence of the King and his councell, complained of the said chancellour for detaining of his retour, and refuseing to give precept thereupon, and upon this refussal there is publict attestation and instruments taken, which are yet extant, and are dated in the years 1441, and 1442, which is three or four years after the said Robert, Lord Erskine, his sasine of the other half of the said earledome.

Item, notwithstanding of the said Robert, Lord Erskine, his right and title foresaid, yet he was still debarred from the possession of the said earledome, by the power of the Kings and their counsell, against the which they did ever protest, whereof two are remarkable, ane *in ffacto*, ane other *in jure*.

For the said Robert, Lord Erskine, made interruption *in ffacto*, by possessing himself in the castle of Kildrumie, (and ejecting the keepers thereof) whiche he detained, while he was forced to quitt it for releif of the castle of Alloay seized upon at the Kings command.

Item, ane manifest interpellation was made *in jure*, by Thomas, Lord Erskine, son to Robert, in the year 1452, who compeared in face of parliament, complained of the denyall of justice, and that he was wrongously debarred from his lawfull succession to the earledome of Mar.

But to give a colour and pretext to such unlawfull possession as interrupted him, the chancellour caused summond five or six of the persons of inquest who were upon the service and retour of the said Robert, umquhil Lord Erskine, to hear and see themselves punished for their erroneous service, and they, partly through fear, and partly by perswasion, are moved against their oath to confess their error, and come in the King's will; and immediatly thereafter the chancellour offerrs to the said Thomas, Lord Erskine, to doe him justice if he would claim it by ane

breif of succession, and the said Thomas accepting the offerr, there is certain persons chosen upon the inquest, and namely the samen five who were already mensworn, who gave furth one service negative, finding that the said Thomas, Lord Erskine, was not heir to his father Robert, of the said earledome of Mar; and, by occasion of thir two deeds, the Lord Erskine, under the colour of law and justice, is excluded from his right and possession, and this was done in the year 1457.

Since this time, the earledome of Mar has been possessed by the Kings, and their second or third sons, and by their favorits, to whom they pleased to dispone the same, and thereby the Lords Erskine debarred from their right, while umquhil Queen Mary, in the year 1565, after her perfect age, considering the undoubted rights and titles which the house of Erskine had to the said earledome of Mar, did, by her Majesteis infeftment, under the great seall, give and dispone the said earledome of Mar, to umquhill John, Earle of Mar, Lord Erskine, father to John, now Earle of Mar, which infeftment is ratified in parliament, in the year 1567.

Item, King James her son, who now reignes, finding the undoubted right of the said earledome of Mar to appertain to the said house of Erskine, has in plain parliament, with consent of the three Estates, in July, 1587, ratified and approven the foresaid infeftment granted by his mother, and declared the said John, now Earle of Mar, as righteous heir of blood to the said dame Isabell Douglas, to have the undoubted right to the said earledome of Mar.

Item, the said John, now Earle of Mar, is served, retoured, and seased in the said earledome of Mar, as heir of blood to the said dame Isabell Douglas, in the year 1588.

By vertue of this infeftment, he has been in possession of a great part of the said earledome, and the rest which he possessed not, was detained by certain particular persons, who pretended rights and infeftments granted by his Majesties predecessors, which infeftments being clade with possession, is, by the laws of this realme sufficient to bruik by, ay and while the samen be reduced.

And because the parties bruikers thereof were many and powerfull, the said Earle of Mar was forced to let the reduction thereof lye over for a long time, and yet has ever been instant in raising his summonds, and pursueing the parties, as he had occasion, and amongst the rest, the said

Earle of Mar intented reduction against the Laird of Pittarro, and obtained decreet of reduction against him for not compearance.

Item, he intented the like reduction against William Forbes of Corse, wherein his contestation is made *parte comparante* in the year 1593, by the space of 29 years or thereby; and, after long dependance of plea, has obtained sentance, wherein his right and title to the said earledome of Mar, as heir of blood to the said umquhil dame Isabell Douglas, is found to be good and lawfull.

There rests ane portion of the said earledome in the hands of my Lord Elphinston, which is the barony of Kildrumie, which, of old, was the cheif and capital messuage of the earledome of Mar, and for recovering thereof the Earle of Mar has now intented summonds of reduction, and that the rather, in respect of the late act of parliament made anent prescription of heretable rights, whereby thirteen years is granted after the date of the said act, which was made in anno 1617, to prosecute their lawfull rights, otherways to be debarred for ever.

And because this process is pursued by the said Earle of Mar, and that the said Lord Elphinston his parties is conscious of the weakness of his cause, in place of just and lawfull defences, they studie to make calumnious informations in prejudice of the Earle of Mar and his right.

And first, they study to possess his Majesties ear with ane opinion of his Majesties interest, and that the right competent to his Majesty is drawn in question by the Earle of Mar being treasurer, against the dutie of his office, and that if the Earle of Mar prevail, my Lord Elphinston is to have recourse of warrandice against his Majestie.

Item, they spare not to affirm, that the Earle of Mar has no right of blood, as heir to dame Isabell Douglas, and if he have any right, it is but to the half of the earledome of Mar, and not to the haill.

But before thir objections be answered, it is to be considered that none of thir alledgeances were used or proponed against my Lord Erskine's right to the Earledome of Mar, when the old retour was drawn in question eight score of years since or thereby.

But the cheif alledgeances then used was the minority of the King, during the which his right could not be drawn in question, but in respect of the act of parliament made in the King's favours, whereof mention is made before, and also in respect of the common law, *Quod minor non tenetur placitare super hæreditate*.

And next, that the said dame Isabell Douglas was denuded of her right in favours of Alexander Stewart, her spouse, who, deceasand bastard, did transmitt his right to the King.

And albeit thir alledgeances be not proponed by the party, yet because they are more substantiall nor these which they use, it is expedient to answer them in the first place.

And, to the first, it is answered that the priviledge of the minority, competent either by the act of parliament or common law, is now long since expired, and the negative service, which was cheifly given in respect of that priviledge, cannot prejudge the Earle of Mar to seek ane declarator of his lawfull right against ane partie major.

And, as to the second, founded upon Alex^{r} Stewart's infeftment and his bastardie, it's answered that his infeftment was null of the law, because it was never confirmed by the King. 2do. The said Alexander Stewart renounced the said infeftment, as authentick instruments taken thereupon in September, 1404, proports. 3^{tio}. After his renounciation, he accepted a new right to the heirs gotten betwixt him and the said dame Isabell, which failling, to return to her heirs whatsomever, which infeftment was confirmed by King Robert the Third, in January, 1404. Likeas the said King Robert, by that same infeftment, has confirmed the said earledome of Mar to the said dame Isabell Douglas, and Alexander Stewart, her spouse, in conjunct fee, and to the heirs to be gotten betwixt them, which failzieing, to returne to the said dame Isabell Douglas, her heirs whatsomever. Likeas, conform to this infeftment, Robert, Lord Erskine, was retoured and seased in the said earledome, as heir to dame Isabell Douglas, in the year 1438, which is ratified by Queen Mary in anno 1565, and confirmed in parliament 1567, and thereafter of new confirmed in parliament in anno 1587. Likeas John, now Earle of Mar, is retoured and seased in the said earledome in anno 1588. In respect of the which rights, and specially of the infeftment granted by King Robert in his majority, whereby the earledome is provided to dame Isabell, her heirs whatsomever, it can never be alleadged that the earledome fell in the King's hands by the bastardie of the said Alexander Stewart.

Thir answers were so pregnant and necessary, that the Lord Elphinstone is content not to propone the foirsaid arguments, but has his refuge allennerly to his former subterfuges and calumnies, to the which now answer is to be made for the part of the said Earle of Mar.

And, first, where they informe that his Majestie has right to the earledome. It is answered that his Majesty and his predecessors were denuded of all right by the infeftments granted by King Robert the Third to dame Isabell her heirs whatsomever. Next, by the infeftments granted by Queen Mary, ratified in parliament as said is. And, lastly, by infeftments and rights granted by the King's Majesty that now reignes, and the states of parliament, to John, now Earle of Mar; and his Majesty can neither tyn or win in the cause, ffor, if the Earle of Mar prevaill, he becomes vassall to his Majesty, and comes in place of my Lord Elphinstone, who was vassall before, in respect of his infeftment standing not reduced. And, in this case, it's a foolish thing to think that the King can be obliged in warrandice to my Lord Elphinstone, because, by the laws of this kingdome, his Majesty can not be obliged in warrandice of any infeftment granted to his subiects, who takes the same upon their own perill; neither is there any such clause of warrandice contained in the my Lord Elphinston's infeftments.

And whereas it is obtruded that this cause is pursued by the Earle of Mar, being treasurer, against the duty of his office; it is answered that the King, out of his gracious love and inclination to justice, will not debarr any of his subiects from their just claim of law upon such a frivolous pretence, especially in this case, where it was notour to his Majesty and Estates that the Earle of Mar had just right to the said earledome, and was injustly debarred, by injury of time; and that the said Earle of Mar, before his investing in the said office of treasury, had his actions intented against diverse persons, pretending right to the said earledome, or parts thereof; and it is not his Majesties pleasure that the Earle of Mar, or any of his subjects, shall be debarred from the benefite of law by occasion of their office, speciallie where his Majesty has no particular interest in this case, where the question is only anent the changeing of a tennent.

And what is furder alledged, that the Earle of Mar cannot succeed as heir of blood to dame Isabell Douglas, because none can succeed to her that way but these who are joyned in blood with her upon her father's side; and that, by the laws of Scotland, there is no succession *cognatorum*, or of the mother kin, but only *agnatorum*, that is of the father's side. To this it is answered, that this alledgeance ought not to be respected, in respect of the two retours, one in *anno* 1438, the other in *anno* 1588, whereby umquil Robert, Earle of Mar, and the said John, now

Earle of Mar, are served, retoured, and seased as heirs of blood to the said umquhil dame Isabell Douglas, in the said earledome of Mar, which retours are, by the law of Scotland, irreduceable after three years; and to clear to the world that the said Earle of Mar is righteous heir of blood to the said dame Isabell (by and attour the said retours), the letters patent granted by King Robert the Third, under his great seall, yet extant, whereby it is declared that the heirs of Sir Thomas Erskine were righteous to succeed to the said earledome of Mar, is sufficient to close the mouths of any that would alleadge the contrair.

And, lastly, where the Lord Elphinstone, fearing that he cannot prevaill upon this ground, by denying the right of blood, has his recourse to ane other ground of the same forge, to make the Earl of Mar but half heir, and to make the other half to pertain to the King, as heir by progress to dame Marjorie Bruce, daughter to umquil Robert the Bruce, of whom his Majesty is lineally descended; and, for perswading hereof, they alleadge that umquhile Donald, Earl of Mar, had tuo sisters, viz., Isabell the eldest, and Helen the youngest, and that the said Isabell was married to King Robert the Bruce, and of the said marriage was procreat dam Marjory Bruce, his Majesties predecessor.

It is answered hereto that the Lord Elphinstone cannot be heard to propone this alledgeance, because it is contrary to his own rights produced; and specially to that process of reduction of the retour and negative service, wherein the right of the said earledome is claimed by his Majesties predecessors, by the bastardie of Alexander Stewart, and not by the right of succession to the said dame Isabell Douglas. Next, it is contrair to the Earle of Mar, his retours, which are standing unreduced, and are unreduceable for the causes foresaids. And, thirdly, such naked alleadgeance, without any ground or warrand in a matter of so great antiquity, cannot make faith without some monument and lawfull probation; and the Lord Elphinstone, nor any other, is not able to adduce any warrant or probation whatsomever to instruct that King Robert the Bruce married the sister of Donald, Earle of Mar, much less that dam Marjory Bruce (of whom his Majesty is descended) was procreate of that marriage.

PEDIGREE OF THE HOUSE OF MAR.

Earle Donald begat Earle William who begat Earle Gartney who begat

Earle Donald who begat

And Helen married to Sir John Monteith who begat

Earl Thomas, who dyed without issue.

and

Margaret married to William Earle of Douglas, with whom she begat

Dame Isabell Douglas who married first Malcolm Drummond of Concraig, and to her second husband Alexander Stewart, naturall son to Alexr. Earle of Buchan, 3rd son to K. Robert the Second. She buir no children to either, and so dying without heirs of her body, in her ended the old blood.

John Monteith who dyed without heirs, and Christian Monteith married to Edward Keith brother to the Marshall, with whom she begat

Janet Keith married to Sir Thomas Lord Erskine, with whom she begat

Robert Erskine Earle of Mar, who begat Thomas Lord Erskine, who begat Alexr. or William, who begat Robert, who begat John, who begat John Regent of Scotland, who begat John now living, Earle of Mar and Treasurer of Scotland.

XXIII.—1445.

Indenture between Sir Alexander Livingston of Callender, and Walter Ogilvy of Beaufort.

This indenture, maid at Edinburgh the sexth day of the moneth of July, the yher of oure Lorde a thousand four hundreth fourti and fyve yheris, betuix honorabil and worschipful men, Sir Alexander of Levingstoun of the Calenter, knicht, and James of Levingstoun, son and ayre to the said Sir Alexander, and capitane of Striveline, conjunctly and severally on the ta parte, and Walter of Ogilby of Beufurde, on the tother parte, proports, contenis, and beris witnes, that it is appoyntit and accordit betuix the parties forsaid, in manner, fourme, and effect as efter followis, to say, that Cresteane of Erskyn, the dochter and ayr of umquhile Sir John of Erskyn of Kynnoule, knicht, sal be deliverit frely to the said James of Levingston, outhir in the castel of Striveline, or in the castel of Meffaine, be the said Walter, at the ferrest be the nativite of Our Lady next to cum, but fraude or gile; and the said Cristiane to be mariit with James, son and ayr to the said James of Levingstone. And gife it happinnis the said James the son to decess, as God forbede, the marriage unfullfullit, the said Cristiane to be mariit with Alexander, the second son and ayre to the said James the fadir, and sa furth failzeand of ane sone til ane uthir, quhil the said James the fadir has ony son or ayr on life. Item, it is accordit, that thar sal be nane alienation maid of the said Cristian's lands, for that thai drawis til ane hundred mares worth of land fra the richtwys ayrs of the said Cristiane. Item, quhat tym that the said Cristiane sal be deliverit to the said James the fadir, the said Walter sal have a mandement thairupon be our soverane Lords the Kings letters patent as affers. Item, it is accordit, that the said Sir Alexander, and James the fadr sal do al thair gudelie power and diligence to get a tallie be maid, and gang throu at our said soverane Lord's hands, and his consalis freli and but coste of the said Walter of al and hale the lands and annuale rents, the quilkis are now Alexander of Ogilvis of Auchtirhous, brothir to the said Walter, and haldin of our said soverane Lorde, for sic like service as thai war haldin befor the making of the resignation, and of al and hale the lands that the said Walter has

in like manner, and haldin of oure said soverane Lorde; and this to be done betwix the date of thir present letters, and the feste of Saint Martyn in wynter ather next there efter, the said Walter bringand or sendand his said brothirs resignation and his awn togidder, or ane of thaim be thaimself as effers. Item, it is accordit, that the said Sir Alexander and James the fadir sal do al thair gudeli powers and diligence to mak the said Walter be confirmit be our said soverane Lorde, of his office of deputy, under his said brothir of the scherreffdomes of Forfar and Bamf for all the days of his life, togidder with the confirmation of al and hale the lands that the said Walter now has, or sal get of the Erle of Ros, and of his said brother Alexander, and but costs as is forsaid. Item, it is accordit, that the said Sir Alexander and James the fadir sal mak the said Walter to have in fee and heretage, al and hale the lands of the Brethirtoun, with the pertinents liand within the schereffdome of Kincardin, to be haldin of the Lorde of Keith; and for sic service as thai ar now haldin, of the quhilks lands the said Sir Alexander, and James the fadir, sal gife to the said Walter the day of the deliverance of the said Cristiane, letters of resignation, als uele belonging the said Sir Alexander, as Beatrice of Cunynghame, with consent and assent of Robert of Cunynghame, hir son and ayr, togidder with letters of the King our Lorde to ressave the said resignation, and the said Walter as tennent; and that all the poynts and articles abufe writtyn, sal be lelily and treuly fullfillit and kepit, baith the said partiis the hali evangel touchit, has geven thair bodili athis, and for the mair sikkernes enterchangeabilly to thir presents has set thair selis, day, yhere, and place abufe writtyn.

XXIV.—1445.

Preceptum Sasine per Andream Dominum le Gray super terris de Woodtoun Brigend Craigie Snawdoune et aliis.[a]

Andreas dominus Gray de Foulis dilectis nostris Ricardo Butergask de eodem et Johanni Broun et eorum alteri balliuis meis in hac parte

[a] [Copied from the original belonging to Lord Gray.]

salutem Quia concessi hereditarie carissimo filio meo Patricio Gray et Anabelle sponse sue future filie nobilis domini Alexandri domini de Forbas Omnes et singulas terras subscriptas viz. terras de Woodtounis terras de le Brigend terras de Craigie Snawdoune cum pertinentiis jacentes infra vicecomitatum de Kincardin et undecem mercatas terrarum de Leetfe cum pertinentiis infra vicecomitatum de Perth ac unum annuum redditum meum quinque librarum levandum annuatim de terris de Morfy cum pertinentiis jacentibus infra predictum vicecomitatum de Kincardin Necnon quadraginta libras terrarum de husbandiis de Foulis et de Forgund jacentibus infra vicecomitatum de Perth supradictum prout in carta mea predictis Patricio et Anabelle inde confecta plenius continetur vel precipue ex illo demando quatenus dicto Patricio et Anabelle vel eorum certo attornato latori presentium sasinam dictarum terrarum et annuorum reddituum cum pertinentiis secundum dicte carte mee tenorem quam inde habent visis presentibus habere faciat Ad quod faciendum vobis et vestrum alteri in hac parte meam pleniariam committo potestatem In cujus rei testimonium presentibus sigillum meum est appensum apud Edinburgh octavo die mensis Julii Anno domini millesimo quadringentesimo quadragesimo quinto.

XXV.—1446.

Decreet anent the claims of the two sons of Sir William Forbes of Kynnaldy.[a]

Wee, Alexander of Setoun, Earle of Huntlie, and Lord of Gordoun, Alexander Lord of Forbes, Alexander of Irwyn of Drum, John of Forbes, Wiliam of Lesly, knichts; James of Forbes, Alexander of Irwyn, James Sken and Gilbert Meignes, submissioners chosen upon the debatis and claime of airshipe betuixt Alexander of Forbes and Malcolm of Forbes, the sounys umquhil of Sir Wiliam of Forbes of Kynnaldy, riply advisit, with ane assent has determynit, concludit the said claime, and debatis, for sentance defyntyf in maner and forme as after folouis, that is to say.

[a] [Copied from the original belonging to the Lord Pitsligo.]

In the first we conclude and determynise the said Alexander, lachfull and full ayer till his fadir, Sir Wiliam forsaide, of all and sundry the lands of the quhilks his forsaid fadir Sir Wiliam deit, vest and seised as of ffee, within the kynryk of Scotland, and finds of na valour the clamys made by the said Malcolm, but annulls thaim nou and for evir, Item, we ordande and concludes the said Malcolm to be man to the said Alexander for terme of his lyf, befor all other nixt to the King; for the quhilk manrent, we ordande the said Alexander to give the said Malcolm, Meikle Wardris in the Garriach, in ffee and heretage, ever and ay quhile the said Alexander or his ayeris pay to the said Malcolm or his ayeris, fourteen score of marks of usual monee of Scotland, upon a day, but fraud or gile: and the said Malcolm sall halde the said lands of the said Alexander and his ayeris, and the forsaid Alexander shall discharge the said Malcolm of all service anent the our Lord; and the said Alexander sall give possession and charter to the said Malcolm within twenty days after at he sall get possession of the said Wardris; and gif it sall happyne the said lands of Wardris to be won lachfully fra the said Malcolm, the said Alexander sall mak him als mykil lande in conveniable place, quhile the forsaid summ be fully contentit and payit, Item, the said Alexander sall mak the said Malcolm free of the terce of the said Wardris. In witnes of this our decreet, our seils ar appensit at Culsalmonde, the xxj day of May, the yhere of grace, a thousand four hundreth fourty and six.

Earle of Huntlie. Lord Forbes. Lard of Drum. John of Forbes, knicht. James of Forbes. William of Lesly, knicht. James of Sken. [Gilbert of] Menzis.

XXVI.—1462.

Assignation of the lands of Tulibaglis to Patrick Gray of Kinneff.[a]

Be it kend till all men be thir present letters, me Thomas of Strathern, and heir of umquhile Richart of Strathern, dwelland in Kerkok, till haue

[a] [Copied from the original belonging to Lord Gray.]

made, stablist, and ordainit, and be thir letters stablissis, makes, and ordainis a right nobil man, Patrick Gray of Kinneff, knight, my irrevocable assignee of a wodsett of the Eastertown of Tullibagglis, the whilk was wodsett to my said umquhile father, for the soume of fifty merks, as be the evident made thereupon is mair fullely contenit, givand, and grantand to my said assignee, my full power and special mandment, for me and in my name, the males of the said wodset to raise, the tennents to putt out and in at his pleasure, courts to be hald, the soume of fifty merks to receaue, eftir it be redemit, and to follow and pursue the said wodsett wrangfully halden fra me be Androw Mersar of Meiklour, costs, skaiths, and males bypast of it to obtein and exerce, [etc.] In witnes heirof, becaus I had na propper sele of my own, I have procurit the sele of a worthy man, Gilbert Galichly, befoir thir witneses:—Davy of Blair, duelland in Kerkok; Sir Patrick of Fyfe, vicar of Aberkerdor; and Mr. William of Keir, to be affixit to thir letteris, At Cluny, the third day of Aprile, the yeir of God a thousand four hundreth and sixty two years.

XXVII.—1464.

Procuratory by Margaret Ogilvy of Auchterhouse, for resigning the Sheriffship of Angus.

In Dei nomine Amen per hoc presens publicum instrumentum cunctis pateat evidenter quod anno incarnationis dominice millesimo quadringentesimo sexagesimo quarto mensis vero Januarij die decima sexta indictione decima tertia pontificatus sanctissimi in Christo patris ac domini nostri domini Pauli divina providentia pape secundi anno primo in venerabilis circumspecti ac magne et eximie scientie viri magistri Thome Lidderdale decretorum doctoris in legibus licentiati ecclesieque collegiate de Abirnethy Dumblainensis diocesis canonici ac officialis Sancti Andree principalis pro tribunali sedente nostrumque notariorum publicorum ac testium subscriptorum presentia personaliter constituta nobilis ac et proba domicella Margareta Ogilvy filia et heres nobilis et incliti viri Alexandri Ogilvy de Auchterhouse ac vicecomitis de Forfar non vi aut metu ducta nec errore lapsa aut fraude seu dolo circumventa sed mera et

spontanea sua voluntate utilitate ipsius et heredum suorum undique pensata ut nobis et testibus subscriptis apparuit et asseruit fecit constituit et solemniter ordinavit presentisque instrumenti tenore facit constituit et solemniter ordinat nobiles et potentes dominos venerabilesque circumspectos ac inclitos et proceros viros Gilbertum dominum de Kennedy Jacobum dominum de Hamiltoun magistrum Jacobum Lindsay prepositum ecclesie collegiate Kincloudam dominum Jacobum Lindsay precentorem ecclesiarum Aberdonensium et Moraviensium Alexandrum Boyd de Drumcoll ac nuntios generales et speciales ita quod generalitas specialitati non deroget nec e contra et quod non sit melior conditio occupantis nec deterior possedentis sed quod unus eorum incepit alter eorum id persequi immediate valeat et finire Dansque concedens dictam dominam constituens prefatis suis procuratoribus ac cuilibet eorum in solidum suam liberam plenariamque potestatem ac mandatum speciale pro se et nomine suo coram supremo domino nostro Rege quocunque die aut loco comparendis ibidemque in manibus dicti supremi domini nostri Regis officium vicecomitis seu vicecomitatus de Forfar cum omnibus suis pertinentijs ad eundem vicecomitem seu vicecomitatum spectantibus seu juste spectare valentibus quomodolibet in futurum ac omne jus et clameum que in dicto officio seu ipsius pertinentijs habet seu habere poterit a se heredibus suis et assignatis penitus et omnino resignandi quiete clamandi et exonerandi in perpetuum salvis et reservatis tamen dicte domine constituenti et heredibus suis universis et singulis terris ac annuis redditibus si que aut qui sint eidem officio adnexi aut adnexe Quod itaque officium cum suis pertinentijs presentis instrumenti tenore dictam constituens in quantum in se erat resignavit et [ ] resignat in manibus dicti supremi domini nostri Regis itaque de cetero in dicto officio ejusque pertinentijs ipsam constituens heredes sui seu assignati ullum jus seu clameum proprietatem seu possessionem quovismodo exigere seu vindicare minime poterit seu poterunt in futurum Ceteraque omnia alia et singula faciendi gerendi et exercendi que ad officium hujusmodi procuratorum de jure seu consuetudine pertinere demonstratur vel que ipsam et constituens faceret seu facere posset si presens in premissis personaliter interesset Promisitque insuper dicta constituens magno sacramento interveniente nobis tanquam personis publicis stipulantibus vice et nomine omnium et singulorum premissorum [ ] se ratum gratum atque firmum pro perpetuo habendum et habiturum

totum et quicquid per dictos suos procuratores aut eorum aliquem in premissis seu premissorum aliquo actum factum dictum vel gestum fecerit et sub hypotheca et obligatione omnium bonorum suorum mobilium et immobilium presentium et futurorum Super quibus omnibus et singulis supradictis prefata domina constituens a nobis notarijs infrascriptis sibi fieri petijt publicum instrumentum seu instrumenta unum seu plura Acta fuerunt hec infra collegium Sancti Salvatoris infra civitatem Sancti Andree hora nona ante meridiem sub anno mense die indictione pontificatu quibus supra Presentibus ibidem venerabilibus circumspectis ac magne scientie viris magistris Johanne Lock in sacra theologia professore almeque universitatis Sancte Andree rectore Thoma Logy in sacra theologia licentiato dicte ecclesie collegiate canonico Nicholao Graham in artibus magistro dominis Edwardo Bonkill ecclesie collegiate sancte Trinitatis prope Edinburgh preposito et Johanne Thomson rectore de Innirande (?) presbiteris cum diversis alijs testibus ad premissa vocatis specialiter et rogatis.

XXVIII.—1472.

Indenture between Hugh, Lord Fraser of Lovat, and the burgh of Nairn.[a]

This indenture made at the burgh of Nairn, the ferde day of the month of May, the yeir of our Lord a thousand four hundreth and seventy twa, betwix ane honourable lord, Hugh, Lord Fraser of the Lovett, on the ta part, and the haill community of the said burgh of Nairn on the tother, proports and bears witnes in form and effect as eftir folowis; that is to say, that the said community, for them, their ayres, and successors, are bound and sickerly oblist to the said Hugh, Lord Fraser of the Lovett, his ayres and successors, leely and true maurent and sicker service to be done, exceptand allenerly their allegance to their soverane lord the King; ffor the whilk maurent, leely and truely to be kept befor all others, as said is, the said lord, for him, his ayres, and successors, is bundine and sickerly oblyst to the said community, their ayres, and successors, that he

[a] From the original belonging to the Lord Lovatt, and produced in the process betwixt the heir male and heir of line—(1730).]

sal be to them good lord, maintainer, protector, and defender, in all their righteous causes, quarrell, and actions, moved, or to be moved forsaid, to whamever ; and, principally, in defending, wyning, and obtaining the mill of the said burgh to be wyning and obtainit to the use and profite of the said brugh, and gif the said mill be wining and obtainit to the said burgh, the said community is bundine and oblyst as said is, that the said lord sal hawe the said mill, with all the righteous pertinents either and winnit to him, his heirs, and assigneys, for all the termes of seven yeirs next folouand the date of this present indenture. In witnes of the whilk condescensions, lely and truely to be keipit, to the part of this indenture, the said community, the seall of the said Hugh, Lord Fraser of the Lovett is to appensit, and with the part remaining with the said lord, the common seall of the said burgh is to appensit, the place, yere, and day forsaid.

XXIX.—1493.

Reversion of Kineff to Andrew, Lord Gray.[a]

Be it kend till all men be thir present letters, me, Alexander Straiton of the Keym, for me, mine heirs, and assigneys, to be bundin and oblist, and be the tenor of thir letters and the faith in my body, binds and oblises me and them till ane honorabill lord, Androw, Lord Gray, and till his heirs and assignes, that, notwithstanding that the said Andrew, Lord Gray, has sald till Alexander Straiton of that ilk, my grandsir, and to me, and mine heirs and assignes, all and haill his croft of land, with the pertinents lyand at the bridgend beside Saint Martin's chaple in the Mearns, and within the shirriffdome off Kincardine, betwixt the lands of Dullachy at the south and the lands of Disclune at the north, and heretabill state and possession given to us thereupon Nevertheless, whenever the said Andrew, Lord Gray, his heirs or assignes, payes to me, mine heirs or assignes, togidder, and at anys, on a day, betuixt the sunrising and the ganging to rest of the samen, the sume of four and twenty punds of gud usuall money of Scotland, all black money or sic excludit, upon Saint

[a] [Copied from the original belonging to Lord Gray.]

Andrew's altar, within the paroche kirk of Dunde, I, mine heirs or assignes, beand warnyt personally, or at our dwelling places, fourty days of befor to the resaite of the said soume beand payit as said is, then I, mine heirs or assignes, sall resigne and upgif in the hands of the said lord, or of his heirs and assignes, all and haill the foirsaid croft of land, with the pertinents [etc.] In witnes of the whilk thing, my sele is appensit to thir letters at Dundee, the tent day of October, the yeir of God a thousand four hundred nintie and three years, befor thir witnessis, Sir Androw Gray, vicar of Fowlis; David Gray; Thomas Gray; and Robert Seres, notar publict, with uders.

XXX.—1504.

Obligation by Andrew, Lord Gray, to Lady Eleanor Gordon.

Be it kend till all men be thir present lettirs, me, Andro, Lord Gray, justice of Scotland, to be bundin and stratly oblisit, and, be the faith and truth of my body, binds and oblises me, myn ayris, executors, and assignais, till ane nobil woman, Ellenor Gordoun, the dochter of umquhill George, Erle of Huntly, for very luff and favour that I beir till the said Ellenor, and for the thanks and kyndnes done to me be ane nobil lady, Elizabeth, Countas of Huntly, her mother Therefore I bind and obliss me faithfully, myn ayris, executors, and assignais, to content and pay to the said Ellenor, the sowm of ane thousand marks, gude and usuall money of Scotland, to be peyit and deliverit to the said Ellenor, for the honorabil marying of her with the Lard of Inuernytys son and appearand ayr, gif he may be gudely had; and failieing of him with sum other nobilman worth six hundreth marks of lyffyng yeirly to her mariage gude And the said thousand marks to be payit in the maner following, that is to say, at the feist of Sanct Martyn, callit Martimess, in winter next to cum, ane hundreth marks, and at the feist of Whitsunday therafter, ane hundreth marks; and swa furth yeirly and termly at ilk term of Whitsunday and Mertimess, ane hundreth merks, ay and while the sum of ane

[Copied from the original at Slains.]

thousand merks be fully content and payit to the said Ellenor And gif it sal happin that the mariage of the said Ellenor beis not contrakit befor the feist of Mertymess that next cumes, then I obliss me faithfully and my ayrs, executors, and assignais, to deliver the said sum of a hundreth marks termly, as is before written, to the abbot and convent of Cuper, in Angwiss, to be keepit and deliverit to the said Ellenor and her spouse, wherewith her mariage, be the sight and adwiss of ane honourabil lady, Elizabeth, Countas of Huntly, her moder, a nobil and michty Lord. Alexander, Erle of Huntly; Willeame, Erle of Eroll; Willeam, maister of Erroll, his son and appearand ayr; and to the observing, keiping, and fulfilling of all and sundry the premisses, I obliss me faithfully, my ayrs, executors, and assignais, in the straitest stile and form of obligation can be devisit. And for the verification herof, I have affixit my sele of arms, togetber with my subscription manual, to this my obligation, at the Newark on Spey, callit the Bogg of Gight, the aught day of Aprile, the yeir of God a thousand fyfe hundreth and four yeirs, befor thir witneses: an nobil and mighty lord, Alexander, Erle of Huntly, William, maister of Erroll, Alexander Guthrie of that ilk, Henry Lovell of Ballumby, Gilbert Hay of Ardendraught, Robert Hay, Alexander Irwyne, Schir Willeam Nory, Andro Strathaquhine, and maister John of Gardine, nottar publict, with others diverse.

XXXI.—1514.

Retour of the service of Alexander Lindsay to the office of blacksmith of the lordship of Brechin.[a]

Hec inquisito facta apud Forfar in pretorio ejusdem coram honorabili viro Willielmo Auchterlouny de Kellie vicecomite de Forfar per commissionem domini nostri Regis de mandato literarum domini nostri Regis et deliberatione dominorum consilii subsignata vicesimo nono die mensis Aprilis anno domini millesimo quingentesimo decimo quarto per hos fideles subscriptos viz. dominum Alexandrum Strachan de Brightoun

[a] [Copied from the original belonging to Lord Gray.]

Walterum Lichtoun de Ulishaven magistrum Thomam Erskine Robertum Maule de Panmure Jacobum Cairncross de Balmushanor Johannem Moncur de Ballowny Willielmum Blair de Ballgillochly Alexandrum Wallace de Woodwray David Foulartoun de Kennaber Hugonem Watterstoun de eodem Johannem Arbuthnot de Bruchtie Willielmum Gray in Lour Silvestrem Hadden de Kellor Carolum Thorntoun de eodem et David Fithie de Kirkstun Qui jurati dicunt quod quondam Ricardus Lindsay et sui predecessores et progenitores fabri communes domus fabrilis dominii de Brechin de bona laudabili et premissa consuetudine ex officio dicti domus fabrilis annuatim hereditarie habuerunt et receperunt novem farletas bonae farinae de unoquoque aratro et molendino husbandorum in his villis subscriptis viz. Balnabroch Kindrokat Petpollocks Pettinde Havich de Brechin Brichtiemill Pettintosehall Balbirny cum molendino Kineraige et Lochland cum pertinentiis et unum vellus ovis senioris cujuscunque husbandi annuatim antedictarum villarum pro fabricatione forcinii autoritate vulgari dictorum husbandorum ac etiam communem pasturam duarum vaccarum et unius equi cuilibet introitu et exitu in dicto Longhauch de Brechin Et quod dictus Alexander Lindsay filius dicti Ricardi Lindsay est legittimus et propinquior heres ejusdem quondam Ricardi patris sui ad dictum domum fabrilem et dictum officium cum dictis commoditatibus proficuis et pertinentiis Et quod dictum officium cum dictis proficuis et pertinentiis dicto Alexandro Lindsay et heredibus suis est hereditarium compertum Et quod dictus Alexander dictam domum fabrilem cum officio dictis husbandis inde debito et consueto in perpetuum sustentabit In quorum fidem et testimonium vicecomitis omnium et singulorum premissorum sigilla quorundam qui dicte inquisitioni intererant unacum sigillo officii dicti vicecomitatus presentibus anno die mense et loco prescriptis sunt appensa.

XXXII.—1521.

Tack by the Abbot and Convent of Cupar, to John Pylmoir and Spouse.[a]

Be it kend tyll all men be thyr present letters, us, Wilzame, thro the permission of God Abbot of the Abbay of Couper and the convent of that ilk, with haill consent and assent. till haf grantyt, set, and for maill lattin, and be thir present letters grants, sets, and for maill lets to our weil belouitts, Jhone Pylmoir, and to Katerine Nycholson, and to ane ayr maill lachfully gottin betweix thaim tua, the toft zard and crofts baitht upyr croft and neder croft, as thai joysit and brukyt of befor, for all the days of thair lyffs, and to the langast liffer of thaim thre failzeeind of ane till ane uthir, with all freedomys and privileges of burgh and barronry, sicklyk as the laiff of our burgh of Kethik has, thai payand zerly thairfor to us and our successors xx s of usuall moni of Scotland, at tua usuale termes in the yeir, Whitsonday and Mertimes in winter, be equale half portiounys, haldand and for to hald the saids toft, zard, and croftys to the saids Jhone, Katerine, and to ane air mail, with all profits, fredoumys, commodities, eisements, and rytwys pertinents by whatsumevir, hafand therto the fewell in our Monkmuir as efferis, as we sall assyng to thaim with tua kyis gyrs in the commonties of the Baitchelhill and Gallwraw, faill and dowet with discretion as efferis: and thai sall put the said toft, zard, and crofts till all possibyl policy in biggyn of gud and sufficiand zeird houses for haw, chawmerys and stabuls to resave and herbry to the nowmer of xij or xvj horses honestly as efferis for horse meit and manns meit, sua that of reson thai be sein no falt in thaim; plantand frut tris
with their defensours; and thai sall keip gud nighburhed, and the lands fra guld; and thai sal keip our medowis, wards. and broumer parks fra thaimself and thair catel, under pain as efferis; and thai sall do thair dewyties to our myl of Kethik, as the laif of the suckyn dois; and thai shall keip the statuts of our courts and the aks of the parliament; and we,

[a] [One of several "copied from the authentics in the hands of Hugh Fleming, writer to the signet; and were found among the writs of Mr. George Halyburton, late Bishop of Aberdeen."]

the said abbot and convent, and our successors, sall warrand, keip, and defend this present assedation to the forsaids, and to the longest liffer of thaim, but fraud or gyle. In witnes of that whilk we haf appensyt our common seill at our foirsaid Abbay of Cowper, with subscriptione manuale of evir ilk ane of our hands, the thryd day of September, the yeir of God ane thousand fyff hundreth and xxi yeirs. &c. Wilielmus Abbas de Cupro manu propria Alex[r] Bernard manu propria Wilielmus manu propria Robertus Tomson Alexander Alexander Spens Robertus Burt Thomas Lethnalony Robertus Dunbrek Thomas Shawes Jacobus Mychelson Thomas Witherspuyn Johannes Frog Robertus Broun Johannes Wech Wilelmus Blayr Wilelmus Baxter Petrus Trent Georgius Bonar Johannes Turnbull junior David Rattray Bernardus M'Dofan Johannes Weddston Silvester Irland Alexander Liddell manu propria Adam Anderson Wilelmus Donald Johannes Turnbull senior.

XXXIII.—1523.

Extract from the Consistorial Register of Aberdeen.[a]

Vigesimo secundo die mensis Julii Anno domini millesimo quingentesimo vigesimo tertio.

Quo die moniti sunt ex eorum propriis confessionibus conjunctim et divisim renunciando beneficia divisionis honorabiles viri magister Alexander Hay rector de Turreff et Willelmus Myln commorans in Ardlathine ad solvendos honorabili viro Willelmo Forbes de Tolquhon ducentas libras sub pena excommunicationis ad terminos sequentes viz. viginti libras in festo Sancti Martini proximo viginti libras ad festum Pentecostes immediate sequentis et viginti libras ad festum Sancti Martini deinde proximum et sic terminatim in festo Sancti Martini et Pentecostes quolibet termino viginti libras usque ad completam solutionem dictarum librarum prefatarum Et hoc fidejussorio nomine nobilis et potentis

[a] Copied from the extract at Slains Castle.

domini Willielmi comitis de Erroll pro matrimonio contrahendo et solemnizando in facie ecclesie inter prefatum Willielmum Forbes de Tochquhone et Isobellam Hay sororem prefati Willielmi comitis secundum vim formam et effectum evidentiarum confectarum inter prefatum Willielmum comitem et Willielmum Forbes de Tochquhone concernentium dictum matrimonium apud Aberdene de data decimo octavo die mensis Julii Anno Domini millesimo quingentesimo vigesimo secundo Et monitus est prefatus Willielmus comes ad relevandum et indemnes servandum prefatum magistrum Alexander Hay et Willielmum Miln de prefata summa in quolibet termino ut prescribitur sub simili excommunicationis pena.

Extractum de libris curie consistorialis Abredonensis ac fideliter collationatum per me notarium publicum subscriptum dicte curie scribam principalem suo cum originali concordans teste mea subscriptione manuali.

Ita est in dictis libris

quod Alexander Paip Notarius publicus ac scriba principalis dicte curie manu propria

XXXIV.—1544.

Bond of Manrent by Cardinal Beaton, to Patrick Lord Gray.

Be it kend till all men be thir present letters, us, David, be the mercy of God Cardinal Archbishop of Saint Andrews, primat and legat of all Scotland, administrator of Mirapow, and commendator perpetuall of the Abbay of Aberbrothock, that for someikle as ane nobil and mighty lord Patrick lord Gray, for certain great pleasure, thanks and gratitude done be us to him hes given and made till us his band and obligation in deu form to serve us lelely and treuly induring his and our naturall lives, and to take our plane and afald part be himself, his kinn, freinds, servands, assistars, and partakers that will do for him in all and sundry our affairs, causes, actions, questions, and quarrells leifful and honest agains all man levand or deeand, his alleageance to the Queen's grace our

[a] [Copied from the original belonging to Lord Gray.]

soverane lady and my lord governour being alanerly reservit and exceppit, as at mare length is contenit in his said band and obligation, subscribed with his hand and under his seall of arms, of the day of the dayt of thir presents maid thereupon, and therefore we in sembable maner to be bounding and oblist, and be the tenor hereof lelely and treuly be the strenth and faith of our body bynds and oblisses us to the said Patrick Lord Gray, that induring our naturall life and his, we sall manetane and defend him, and take his plane and afald part with our kyn, freinds, servands, assistaris and partakers that will do for us in all and syndry his cauces, actions, questions, and quarrells leifful and honest, and sall defend his person, honor, lands, rents, possessions, and goods at the outmost of our power agains all man leevand or deeand our alleageance to the Queen's grace our soveraign lady and my lord governour being allennerly reservit and exceppit, and sall noyther wytt, see, hear, nor understand his displeasure nor damage, in his person, honour, lands, rents, possessions, nor goods, but sall reveal or cause sufficiently to reveal the same to him, and at the outmost of our power stop and lett the samin, and the counsell that he sall please to shaw us, sall keep the samin secret, and nevir to disclose the samin to his disbonor, damage, or skaith, and sall give him the best advice we can in all his affairs gif he ony asks at us, and attour sall receive, and be thir presents receives the said Patrick Lord Gray in houshald with us, with twelwe honest servands with him to remaine with us at his pleasure, with his saids servands upon our expences baith in men's meat and horse meat as effeirs. In witness heirof, to thir presents subscrib'd with our hand, our round seal is hingin at our castle of Saint Andrews the twenty twa day of October the year of God ane thousand fyve hundreth and fourty four yeiris.

XXXV.—1545.

The foundation of the Collegiate Church of Bigar. By Malcolm, Lord Fleming.[a]

Reverendissimo in Christo patri et domino domino Davidi miseratione

[a] [Copied from the original belonging to the Earl of Wigton.]

divina Sancti Stephani in Celio monte sancte Romane ecclesie presbitero cardinali Sancti Andree archiepiscopo totius regni Scotie primati apostolice sedis legato nato ac per universum regnum predictum ejusdem sedis de latere legato nec non Mirapicensis ecclesie in Gallia administratori ac commendatorio perpetuo monasterij sancte Thome marthiris de Aberbrothock Vestre reverendissime paternitatis humilis et devotus in Christo filius Malcolmus dominus Flemyng regni Scotie camerarius reverentias cum honore tanto reverendissimo amplissimoque patri debitas Reverendissime pater noverit vestra reverendissima paternitas me de superis ad inferiora derivatum exemplis pie devotionis affectum et divini cultus augmentum continue desiderantem et ut in pijs actibus ferventius et instantius perseverem tam vigor justitie et equitatis fervor quam rationis ordo favere me inducunt ad laudem gloriam et honorem summe et individue Trinitatis Patris videlicet et Filij et Spiritus Sancti beatissime que et intemerate semper virginis Marie Dei et domini nostri Jhesu Christi salvatoris genitricis collegiate ecclesie mee de Bigar Glasguensis diocesis erigende sub ejusdem assumptionis titulo et invocatione moderne patrone per me institute nec non et beatorum Nicholaij parrochialis ecclesie de Bigar patroni et Niniani confessorum ac omnium sanctorum celestis curie pro salute anime precolendissime memorie domini Jacobi quinti olim Scotorum Regis ac pro vestra reverendissima paternitate et pro salute anime mee ac Johanne Stewart conjugis mee dicti quondam inclitissimi Regis sororis et pro animabus parentum benefactorum amicorum consanguineorum et predicessorum ac successorum meorum ac omnium fidelium defunctorum et pro animabus illorum precipue a quibus bona injuste habui aut quibus dampnum seu injuriam intuli et nondum suffragijs precibus nec precio satisfeci aut compensavi cum expressis consensu et assensu reverendissimi in Christo patris et domini domini Gavini miseratione divina archiepiscopi Glasguensis ordinarij mei ac venerabilum et circumspectorum virorum dominorum decani et capituli ecclesie metropolitane Glasguensis propter hoc capitulariter congregatorum fundasse dotasse et effectualiter erexisse UNUM COLLEGIUM sive COLLEGIATAM ECCLESIAM cum honore dignitate et pre eminentia collegialibus de ecclesijs parochialibus beneficijs capellanijs clericatibus parrochialibus et hospitalibus ad patronatum meum jure hereditario spectantibus et de bonis alijs mihi a Deo collatis et concessis pro uno preposito octo canonicis et prebendarijs et quatuor pueris juvenilem et puerilem vocem

habentibus ac sex pauperibus Et eo maxime quia ego Malcolmus firmiter credo quod in missarum solennijs holocaustum pingue filius videlicet Patri omnipotenti in odoris suavitate offertur cui nichil acceptabilius nihil gratius nihil dignius offerri potest tam eijs vim esse Catholice fidei sinceritas persuadet ut imbecillem humane conditionis fragilitatem in peccatis sepe labentem in gratiam restituant fidelium defunctorum animas ex purgatorij penis eripiant etque beate ad glorie plenitudinem assequendam accedant Plane in eorum numero ne reperiar quibus in exordio dictum est gens absque consilio et providentia utinam saperent et intelligerent ac novissima providerent animoque revolvens quod in apocalipsi scriptum est *audivi vocem de celo dicentiem Beati mortui qui in domino moriuntur ammodo jam dicit spiritus requiescant a laboribus suis opera enim illorum sequuntur* Illos hinc mihi charitas exarsit hinc pietas orta est et divini cultus augendi nata voluntas quam pro facultate prosecutus ad effectum predictum Do et concedo meum consensum et assensum et volo quod prepositus et octo prebendarij ac quatuor pueri ac sex pauperes inferius designandi per me ex meo patronatu conquestu et industria fundati et dotati dicte ecclesie collegiate devote et celebriter juxta fundationis tenorem inferius subsequentis in hujusmodi ecclesia collegiata deserviant et intendant Reservando tantum michi et mee conjugi prescripte et nominate divinorum suffragia una cum dispositione presentatione et donatione prepositure octo canonicatuum et prebendarum ac quatuor puerorum ac sex pauperum predictorum pro toto tempore vite mee quotiens vacare contigerint Et post meum decessum volo quod jus presentandi et donandi dicte prepositure octo canonicatuum et prebendarum ac quatuor puerorum et sex pauperum ad heredes meos et successores spectabit et pertinebit Collatio vero prepositure quotiens vacare contigerit ad reverendissimum patrem dominum archiepiscopum Glasguensem pro tempore existentem spectabit Admissio vero octo canonicatuum et prebendarum et quatuor puerorum quotiens eos simul vel respective vacare contigerint ad prepositum et in absentia prepositi ad presidentem dicti collegij pro tempore respective existentes spectabit et pertinebit Imprimis Prepositus qui pro tempore fuerit intitulabilitur PREPOSITUS ECCLESIE COLLEGIATE BEATISSIME ET INTEMERATE VIRGINIS MARIE DE BIGAR et festum assumptionis prefate Virginis Marie in dicto collegio pro festo principali celebrabitur et idem prepositus habebit omnes et singulos fructus redditus proventus jura decimas et emolimenta rectorie et viccarie pa-

rochialis ecclesie de Thankertoune Glasguensis diocesis cum singulis oblationibus et obventionibus ejusdem ac cum manso mansione et gleba ecclesiastica dicte ecclesie de Thankertoune Qui prepositus pro tempore existens uni curato curam animarum omnium utriusque sexus parrochianorum dicte ecclesie de Thankertoune gerenti et pro tempore exercenti dabit et persolvet singulis annis decem libras usualis monete regni Scotie ac etiam idem curatus habebit duas acras terre dicte prepositure prope dictam ecclesiam de Thankertoune pro manso et orto ibid edificandis et continue remanebit in propria persona apud dictam ecclesiam et in ejusdem cura per seipsum deserviet Qui etiam prepositus omnia onera ordinaria et extraordinaria dicte ecclesie de Thankertoune solita et consueta que temporibus preteritis ipse aut sui antecessores solverunt ac solvere de jure vel consuetudine consueverunt solvet et satisfaciet PREBENDARIUS PRIMUS intitulabitur *prebendarius hospitalis Sancti Leonardi* et erit preceptor instructor et magister scole cantus et instruet pueros dicti collegij et alios supervenientes in plano cantu precato et discantu et erit peritus in organorum modulatione pro divino officio exercendo Quiquidem prebendarius pro hujusmodi laboribus et servicio in dicto collegio faciendis habebit ad suam annuam sustentationem terras ecclesiasticas de Spittale PREBENDARIUS SECUNDUS erit *preceptor studij grammaticalis* et in grammatica sufficienter edoctus et literatus et ad suam annuam sustentationem habebit terras de Auchynreoch PREBENDARIUS TERTIUS erit *sacrista dicti collegij* et habebit ad suam sustentationem capellaniam beate Marie nuncupatam fundatam super terris de Garnegabir et Auchyndavy cum pertinentiis et sex marcis annui redditus in Kirkintulloch ac duabus acris terre manso et orto eidem capellanie spectantibus quam nunc habet et possidet dominus Andreas Flemyng in Kirkintulloch Quiquidem prebendarius pulsabit campanas illuminabit cereos et candelas summi altaris et dua insularum ac altaris Crucifixi in eadem ecclesia de Bigar per anni cursum et pro hujusmodi cereis ac de luce bovina pro tempore hyemali conficiendis et sustentandis candelis annuatim pro summo altari ac duarum insularum et Crucifixi altaribus summam quinque librarum annuatim de fructibus et emolumentis officij clericatus ecclesie de Bigar percipiet et levabit dictusque Prebendarius preparabit vestimenta et ornamenta summi altaris ac duarum insularum et Crucifixi altarum predictorum nec non eorundem cappas vestimenta et ornamenta lavare mundare et totiens quotiens opus

fuerit resarciri faciet et hujusmodi cappas ornamenta et vestimenta sic lota mundata et resarcita super summum altare ac duarum insularum et Crucifixi predictorum altaria cooperiet prout tempus exigerit pro quibus ornamentis levandis et cooperiendis ac cappis et vestimentis predictis resarciendis et renovandis idem prebendarius summam trium librarum usualis monete regni Scotie de supradictis fructibus et emolumentis officij clericatus dicte ecclesie de Bigar annuatim habebit percipiet et levabit Idemque prebendarius similiter annuatim et dictim sustentabit panem et vinum ad missarum celebrationem in dicto collegio habebitque annuatim pro hujusmodi sustentatione facienda quatuor libras dicte monete super integris fructibus redditibus et proventibus rectorie et vicarie dicte ecclesie de Bigar ac terris ecclesiasticis ejusdem annuatim percipiendis et levandis PREBENDARIUS QUARTUS erit *pauperibus in dicto collegio deprecaturis preceptor* et victualium ac aliorum emolumentorum eijs incumbentium administrator et distributor et super administratione hujusmodi facienda annuatim faciet et reddat compotum patrono pro tempore existenti et in patroni absentia preposito et prebendarijs dicte ecclesie de hujusmodi victualibus distributis et habebit idem prebendarius pro sua annua sustentatione decem libras dicte monete de annuis redditibus terrarum de Drumalzear ac etiam septem alias similes libras ac sex solidos et octo denarios super dictis integris fructibus redditibus et proventibus rectorie et vicarie dicte ecclesie de Bigar annuatim percipiendas et levandas PREBENDARIUS QUINTUS habebit ad suam annuam sustentationem septemdecim libras sex solidos et octo denarios dicte monete Scotie annuatim ut premittitur super dictis integris fructibus redditibus et proventibus rectorie et vicarie dicte ecclesie de Bigar ac terrarum ecclesiasticarum ejusdem percipiendas et levandas PREBENDARIUS SEXTUS habebit ad suam annuam sustentationem septemdecim libras ac sex solidos et octo denarios dicte monete similiter super dictis integris fructibus redditibus et proventibus rectorie et vicarie dicte ecclesie de Bigar ac terrarum ecclesiasticarum ejusdem annuatim percipiendas et levandas PREBENDARIUS SEPTIMUS habebit ad suam annuam sustentationem similes septemdecim libras ac sex solidos et octo denarios dicte monete similiter et ut premittitur super dictis integris fructibus redditibus et proventibus integre rectorie et vicarie dicte ecclesie de Bigar ac terrarum ecclesiasticarum ejusdem annuatim percipiendas et levandas PREBENDARIUS OCTAVUS habebit similiter ad suam annuam sustentationem similes septem

decim libras ac sex solidos et octo denarios dicte monete de et super integris fructibus redditibus et proventibus integre rectorie et vicarie dicte ecclesie de Bigar ac terrarum ecclesiasticarum ejusdem annuatim percipiendas et levandas Quiquidem prebendarius erit vicarius pensionarius dicte ecclesie parrochialis in Collegiatam erigende de Bigar et continue in choro cum ceteris prebendarijs residebit cantabit et divinum officium exercebit nisi cum in cura dicte ecclesie et administratione sacramentorum ecclesiasticorum parrochianis ejusdem preoccupatus fuerit Cujus vicarie pensionarie quotiens illum vacare contigerit presentatio ad me quoad vixero et heredes meos Collatio vero provisio et illius institutio ad reverendissimum patrem dominum archiepiscopum Glasguensem nunc et pro tempore existentem respective pertinebit et spectabit ITEM VOLO ET ORDINO quod in dicto meo collegio et collegiata ecclesia perpetuis futuris temporibus sint quatuor pueri puerilem vocem habentes qui erunt in plano cantu precato et discantu bene et sufficientur instructi et periti habentes coronas rasas cum togis blodei coloris ad modum puerorum cantorum chori ecclesie metropolitane Glasguensis durante solummodo eorundem voce puerili Qui invicem habebunt annuatim et distribuent inter se respective omnes et singulos fructus officij clericatus parrochialis ecclesie de Lengze dicte ecclesie Glasguensis diocesis ad meum patronatum legittime spectantes dempto tantum et excepto quod de hujusmodi fructibus dicti officij clericatus sustentetur unus substitutus qui perpetuis futuris temporibus deserviet curato et parrochianis dicte ecclesie de Lengze pro tempore existentibus more solito Quorum puerorum presentatio ad me quoad vixero et heredes et successores meos Admissio vero et eorundem examinatio ad prepositum et prebendarios pro tempore existentes Et in prepositi absentia cujus presentia ad quindenam expectabitur ad presidentem et ceteros prebendarios pro tempore presentes respective spectabunt et pertinebunt Et cum dicti pueri simul vel respective in voce puerili deficerint seu alias in malo regimine enormes reperti fuerint et non bonam ut decet regulam observaverint eorundem destitutio et amotio ad predictos prepositum ac presidentem et prebendarios ut supra respective spectabit et pertinebit Intromissio vero fructuum et emolumentorum dicti officij clericatus exceptis prius exceptis ad ipsos pueros et eorundem parentes et amicos spectabit pro eorundem alimentis et alijs necessarijs eijs ministrandis et impendendis et ipsis pueris simul vel respective destitutis vel legitime amotis intrantium puerorum parentes

sive amici cum dicto officio clericatus et ejusdem fructibus ad effectum quem supra intromittant pueris tamen remotis secundum ratam temporis eorundem residentie et deservitionis satisfaciendo ITEM VOLO ET ORDINO ut sint sex pauperes elemosinarij *lie beidmen* vulgariter nuncupati quibus inherent corporum debilitas paupertas et senectus degentes et moram trahentes in domo hospitalitatis cum orto per me patronum eisdem assignato Qui pauperes precipue erunt oriundi de meis baronijs de Bigar et Lengze si pro tempore reperiri possint infra easdem Quiquidem pauperes presentabuntur admittentur et instituantur per me quoad vixero et post meum decessum per meos heredes et successores prefatos quotiens vacare contigerint et quilibet eorum habebit annuatim unam togam panni lanei albam cum caputio panneo albo eidem toge connexo et omni die perpetuis futuris temporibus intererunt summe misse et singulis vesperis in dicta mea collegiata ecclesia decantandis et apud meum sepulchrum cum de hoc seculo migravero et parentum meorum sedebunt devote Deum altissimum deprecaturi pro anima mea et conjugis mee prefate ac animabus progenitorum et antecessorum et successorum meorum ut supra Et pro eorundem annua sustentatione et alimento distribuentur inter se unanimiter primo die cujuslibet mensis per anni circulum due bolle et una firlota farine avenatice extendentes per annum integrum ad viginti septem bollas farine avenatice quod omnes et sic unicuique dictorum sex pauperum in anno integro quatuor bollas et duas firlotas farine predicte annuatim et mensatim de primis fructibus et decimis rectorie et vicarie dicte ecclesie de Bigar levandas et percipiendas Quilibet vero pauperum predictorum pro ejusdem alba toga cum caputio lectis et domibus resarciendis viginti solidos ex dictis fructibus rectorie et vicarie de Bigar annuatim percipiet et levet Habebuntque dicti pauperes perpetuis futuris temporibus licentiam potestatem et facultatem liberam pro me et heredibus meis fodiendi lucrandi et ducendi glebas et cespites ad eorundem focalia videlicet duas *lie dargis* de Neddirmoss annuatim *Item* prepositus et prebendarij prefati habebunt domos et mansos cum ortis in convenienti loco prope ecclesiam videlicet prepositus unam aeram terre et unusquisque prebendariorum dimediam aeram et habebunt annuatim perpetuis futuris temporibus licentiam facultatem et potestatem de me et heredibus meis fodiendi lucrandi et ducendi focalia ad eorundem congruam sustentationem in baronia mea de Bigar et infra boudas et limites terrarum pertinentium hospitali Sancti Leonardi *Item volo et ordino* quod

eligantur duo prebendarij annuatim in vigilia Penthecostes per patronum prepositum et prebendarios pro tempore existentes et in patroni absentia per prepositum et ceteros prebendarios qui annuatim colligent omnes et singulos fructus decimas proventus jura obventiones et emolumenta integre rectorie vicarie et terre ecclesiastice de Bigar et hujusmodi fructus decimas proventus jura obventiones et emolumenta sic congregatos distribuent particulariter et ordinatim prout supra mentionatur et qui supersunt vel supererunt ultra et preter expressata conserventur per dictos collectores qui compotum et rationem reddent patrono ac preposito et prebendarijs prefatis et in patroni absentia preposito et prebendarijs et in utriusque absentia prebendarijs antedictis Et fructus sic restantes et super excrescentes disponentur annuatim juxta dispositionem patroni ac prepositi et prebendariorum ad commodum et utilitatem dicti collegij prout eijs melius pro tempore visum fuerit expedire Quiquidem collectores pro hujusmodi fructibus decimis et emolumentis rectorie et vicarie dicte ecclesie de Bigar congregandis et collegendis et eorundem laboribus in premissis impendendis habebunt annuatim quinquaginta tres solidos et quatuor denarios dicte monete Scotie videlicet unusquisque eorum viginti sex solidos et octo denarios exigendos percipiendos et levandos annuatim de dictis integris fructibus et decimis ac emolumentis rectorie et vicarie ecclesie de Bigar predicte *Item rolo et ordino* missas subsequentes in dicta mea collegiata ecclesia celebrandas et tabulari debere modo sequenti Inprimis unam missam dicendam mane ante inceptionem matutinarum de beata Maria semper Virgine inter sextam et septimam horas tam estuali quam hiemali temporibus sic quod celebrans non excusabitur a matutinis cantandis et si non intererit ante finem *gloria patri etc.* conclusionem videlicet primi psalmi amittet illam horam et pro ea mulctabitur *Item* altam sive summam missam post decimam horam statim quotidie cum cantu solenni Gregoriano vel discantu cum organorum lusu et modulatione prout tempus exigerit *Item* tertiam dicendam missam statim post consecrationem et elevationem corporis Christi alte sive summe misse et non citius inchoabitur sic quod a cantu et interesse summe misse non excusabitur sub pena amissionis illius hore que ultima missa celebrabitur omni die secundum voluntatem dicentis de quocunque Sancto *Item volo et ordino* quod omni secunda feria cantetur missa *de requie* pro anima mea et anima conjugis mee ac animabus parentum meorum ac omnium fidelium defunctorum statim matutinis finitis preterquam in majoribus duplicibus a clero et

populo veneratis et observatis *Item* omni tertia feria cantetur solemniter statim matutinis finitis missa in honorem Sancte Anne matris beatissime intemerateque Virginis Marie *Item* omni quarta feria cantetur solemniter missa statim matutinis finitis in honorem Sanctorum Nicholai et Niniani episcoporum et confessorum *Item* omni quinta feria cantetur solemniter missa in honorem corporis Christi *Item* omni sexta feria cantetur solemniter missa de quinque vulneribus Domini nostri Jhesu Christi *Item* omni sabbato cantetur missa solemniter statim matutinis finitis ut supra de festo compassionis (?) beate Marie semper Virginis *Item volo* quod ille celebrans altam missam statim finita sua missa stola et alba indutus accedat ad meum sepulchrum post meum obitum et dicat psalmum *de profundis* cum orationibus et precibus solitis et consuetis cum aspersione aque benedicte in fine *Item* hec misse extraordinarie indies cantande cantentur in duabus insulis preter missam *de requie* que cantetur apud summum altare *Item ordino* omni septimana capitulum sabatinum fore et teneri in dicto collegio in omnibus et per omnia secundum regulam et constitutiones ecclesie metropolitane Glasguensis, et qui abfuerit a dicto capitulo persolvet presidenti pro tempore existenti duos denarios *Item volo* et ordino quod omnibus quartis ferijs immediate post Omnium Sanctorum ac Purificationis beate Marie Virginis nec non et apostolorum Philippi et Jacobi ac Sancti Petri *ad vincula* festivitates cantetur missa *de requie* pro anima mea conjugis mee et animabus omnium prescriptorum cum vesperis et matutinis mortuorum cum novem lectionibus et novem psalmis et eorundem responsorijs nocte precedente quodlibet dictorum festorum Quiquidem Prebendarij et eorum quilibet a tempore fundationis eorundem quotidie in cantu Gregoriano precato et discantu secundum quod tempus exigit celebrabunt matutinas altam missam vesperas et completorium horis et temporibus debitis et consuetis sicuti prebendarij aliarum collegiatarum ecclesiarum celebrare consueverunt et tenentur *Ulterius* ego Malcolmus patronus predictus volo statuo et ordino quod omnes sapradicti Prebendarij et eorum successories tenebuntur apud dictum collegium residentiam facere personalem et omnibus dominicis festivis et ferialibus diebus ac commemorationibus continuis matutinas canonicas altam missam vesperas et completorium ad magnum altare et in choro ejusdem ecclesie et post completorium noctuatim exceptis majoribus duplicibus festis antiphonam in honorem prelibate gloriose Virginis Marie in eorum habitibus videlicet superpellitijs lineis mundis et caputijs rubeis foderatis nec non et psalmum *de pro-*

fundis cum orationibus et precibus consuetis pro animabus fundatorum et omnium fidelium defunctorum sine nota celebrabunt et cantabunt *Volo* etiam et statuo ac ordino quod ad pulsum campane qui omni die regulariter per totum annum incipietur hora sexta de mane et hora septima finetur ejus pulsus omnes et singuli dicti prebendarij pro matutinis dicta hora septima celebrandis in eorum habitibus ut supra convenient et statim post horam decimam ad altam missam nec non ad vesperas et completorium statim post horam quintam convenient excepto quod in tempore quadragesimali vespere statim post magnam missam et completorium hora consueta de sero celebrentur *Item* volo et ordino quod ante missarum et horarum principia prebendarij omnes ad ecclesiam conveniant ibique sine discursu murmure risu et absque vanis et vagis aspectibus sub silentio in pace et cum debita gravitate cantent et usque in finem unanimiter perseverent *Hortamurque* in Domino Jhesu Christo ut divinas laudes integre honeste et attente persolvant gestas leves et dissolutas omnino declinent tractim psallant debito more inceptaque simul cantanda fuerint simul continuent simulque pausant et qui in hijs defectuosi fuerint graviter puniantur nam corrupte et perfunctorie cantando Dei omnipotentis debitūs honor non promovetur fundatorum intentio frustratur propria conscientia leditur proximorumque edificatio minime procuratur Et si contingat aliquem prebendariorum ferialibus diebus seu festis simplicibus abesse pro singulis officijs videlicet matutinis missis vesperis et completorio duos persolvet denarios in dominicis vero et festis celebribus tres denarios in majoribus vero et principalibus festis quatuor pro singulis horis persolvet denarios Et volo quod hujusmodi mulcta defectuum per prepositum aut per aliquem per ipsum respective deputandum colligatur feribanturque dicti defectus dictorum prebendariorum ebdomadarium distribuanturque pro librorum et aliorum ornamentorum reformatione seu emptione prout colligens aut distribuens coram summo judice respondere voluerit *Insuper* volo et ordino quod prepositus nunc et pro tempore existens aut ejus deputatus seu locum tenens auctoritatem habeat defectus premissos corrigendi penam pecuniariam seu mulctam propterea imponendi et exigendi suspendendi prout ratio exigit a choro Qua suspensione stante integros fructus illius defectuosi prebendarij in supradictos usus vel in alia pietatis opera convertendi et si eorum contumacia et inobedientia id exigat volo quod a domino officiali Glasguensis generali nunc et pro tempore existenti a divinorum celebratione suspendantur aliasque penas arciores

et censuras ecclesiasticas in eos idem officialis infligat a quibus nisi satisfactione previa per eum non relaxentur neque absolvantur *Item ulterius* volo et ordino quod omnes et singuli dicti prebendarij presentes et futuri sint sacerdotes vel saltem in ordine diaconatus constituti et in literatura cantu plano precato et discantu periti et experti qui etiam singulis diebus cum dispositi fuerint ad altaria quibus fundate sunt eorum prebende missas privato modo pro animabus eorum quorum fundationes hujusmodi facte sunt celebrare tenebuntur *Volo etiam* quod omnes dicte prebende sint compatibiles cum quibuscunque alijs beneficijs ecclesiasticis dum modo tamen singuli prebendarij hujusmodi personalem et continuam residentiam apud dictum collegium faciant ita quod si aliquis de predictis prebendarijs se per quindenam absque licentia prepositi dicti collegij pro tempore existentis si presens fuerit et in ejus absentia presidentis et capituli absentaverit seu absentare contigerit cui seu quibus licebit tantum absentie tempus tollerare nisi evidens absentie causa fiat sua prebenda censeatur de facto vacare et vacet ita quod cum constiterit quod ille prebendarius se ita absentaverit absque vocatione aut quocunque alio processu alteri ydonco conferatur *Ceterum* statuo et ordino quod omnes et singuli dicti prebendarij et eorum successores in primo suo introitu infra dictam ecclesiam sive collegium obedientiam manualem dicto domino preposito et michi Malcolmo fundatori quoad vixero prestabunt et facient et jurabunt de observandis statutis et regulis de constitutionibus et ordinationibus dicti collegij per me fundatorem et alios ad hoc protestatem habentes conditis et condendis quibus facultatem condendi et promulgandi statuta collegialia inter eosdem concedo Quiquidem prepositus nunc et pro tempore existens etiam in choro super eosdem jurisdictionem et potestatem ad suspendendum a choro et alias penas pecuniarias inibi infligendi et illas commutandi in alia pia opera vel eum eisdem desuper dispensandi habebit et in sua absentia presidens et in utrorumque absentia senior prebendarius electus eandem habebit potestatem Nichilominus extra chorum nisi tale fuerit delictum propter quod de jure fuerint suspensi divina possunt hujusmodi prebendarij sacerdotes celebrare *Item* si aliquis prebendariorum ex infirmitatis causa impediatur sic quod missam dicere sive celebrare ac cantare non potest cum in suo turno sibi evenerit volo per confratres dicti collegij vices suas observari et perimpleri Et siquis eorundem per prepositum et presidentem pro tempore requisitus fuerit et recusaverit persolvet duodecim denarios presidenti

Item si quis prebendariorum sit litigiosus et ad bella seu rixas alios provacando et divinum officium impediens ex similibus actibus volo quod talis prehabita cause cognitione sine ulteriori processu a sua prebenda amoveatur Etiam si contingat aliquam prescriptam prebendam modo premisso seu alias quovismodo vacare ordino quod non presentetur aliquis ad eandem prebendam nisi prius expectato spatio triginta dierum sic quod tempore intermedio de ydonea et qualificata persona possit provideri nec lapsis dictis diebus presentatur eadem persona nisi prehabita diligenti examinatione ejusdem coram preposito et prebendarijs vel saltem coram presidente et prebendarijs in prepositi absentia *Reverendissime amplissimeque pater* et siquidem fuerit impositum quod imponi minime deberet aut omissum quod necesse erat imponi supplicando protestor quatenus apostolica auctoritate paternitati vestre reverendissime desuper concessa illud emandare extrahere corrigere imponere et interpretari ac etiam ut dicti mei collegij fundationem et dotationem in mansionibus communijs distributionibus prebendariorum officiariorum et puerorum numero ampliare addere et multiplicare possim saltem ad numerum competentem prout vestre reverendissime et amplissime paternitati expedire videbitur vestram igitur reverendissimam paternitatem humillime rogo quatenus premissa videlicet creationem fundationem divisionem dimembrationem unionem annexationem incorporationem distributionem voluntatem ordinationem statuta constitutiones et regulas prepositi et prebendariorum prefatorum fundationibus primevis non obstantibus quibus ad effectum infrascriptorum hac vice specialiter et expresse derogare placeat in omnibus suis punctis et articulis ac conditionibus ad finem et effectum debitum perducendos approbare ratificare et confirmare addere corrigere seu alias emendare ac reverendissimo in Christo patri domino archiepiscopo Glasguensis loci ordinario nunc et pro tempore existenti obedientiam jurisdictionem superioritatem visitationem correctionem dominium potestatem preeminentiam et punitionem canonicam ac omnia jura ordinaria et extraordinaria archiepiscopalia et archidiaconalia et alia de jure et regni consuetudine ante hanc meam fundationem ac creationem unionem et incorporationem infrascriptas debita solita et consueta specialiter et expresse reservare omnesque et singulos tam juris quam facti defectus si qui in premissis quovismodo intervenerint supplere ex apostolice paternitatis plenitudine eidem paternitati vestre commisse velit vestra reverendissima et amplissima paternitas memorata quam in prosperis ad vota ad ecclesie sue felix

regimen et pastoralis officij honorem conservet Jhesus Christus sua beatissima semper virgine Maria matre interveniente *In quorum omnium* et singulorum fidem et testimonium premissorum huic mee fundationi manu mea propria subscripte sigillum meum armorium una cum rotundo dicti reverendissimi patris archiepiscopi Glasguensis et communi sigillis dicti capituli ecclesie Glasguensis in signum expressum eorundem consensus et assensus ad premissa est appensum apud civitatem Glasguensem die decimo sexto mensis Januarij anno domini millesimo quingentesimo quadragesimo quinto coram hijs testibus reverendis ac venerabilibus in Christo patribus et dominis Willielmo et Roberto Dunblanensis et Orchadensis ecclesiarum episcopis Johanne abbate de Pasleto Thoma commendatorio de Driburgh et Malcolmo priore ecclesie Candide Case nec non nobilibus et potentibus dominis Willielmo comite de Montross Johanne domino Erskyn et Alexandro domino Levyngstoun ac etiam honorabilibus viris Johanne Lyndesay de Covyntoun Willielmo Flemyng de Boghall Thoma Kyncayd de eodem et Andrea Broun de Hartre cum diversis alijs etc.

XXXVI.—1547.

Testament of Malcolm Lord Fleming.[a]

The xv day of the monith of Februarie, the yeir of God m v^c^ and xlvii zere, I, Malcom, Lord Flemyng, gret Chamberlane of Scotland, hale in bodie and saule, leve my saule to God Almyghtie, and to the glorius Virgin, Saintt Marie, the moder of God, and to al the halie santtis in hevin; and gif it happynis me to decess in weirs, or ony uther deid as God pless, given my body be gottin, quharever I decess, to be erdit in my College Kirk of Biggar; and ordains, in the first, my executoris, my wyff, my eldest son James, and, failand of him, my youngest son John, and John Flemyng young laird of Boghall, and Robert Kincaid in Auchinreoch; and oversmen, Malcome prior of Quhitherne, and Alexander Lord Levingstoun, baith in ane voice. And becanse my bairns are young. I ordain that them persons, and executoris foresaid, gang all a

[a] [Copied from the original belonging to the Earl of Wigton.]

gait, and all things be done be all thair anises and consents for the wele of my bairns and sons, as here my mynd follows; and the said executoris to do nathing by the awyss of the said oversmen, nor the said oversmen to do nathing without awyss of all the said executoris, and gif ony of thaim does the contrary to be of na effect whatever they do. And als lang as my wyff halds her unmaryit and kepis her lysomst conversation, I ordain her to be principall intromittar with all my guddis, moveabill and unmovabill, with the awyss of my said executoris and oversmen forsaid, and gif she usis the contrary, that is to say, gif she maries, or uses ony man in marage or by marage, that she be dischargit by my said executoris and oversmen of all intromissions with onything that belongit to me or my bairns, except the guddis and geir that I leif her in legacie, quhilk sall after follow.

The Inventour of my gudis and money.

In the first, in Sir Thomas Johnston's hand, ane thousand and xxviii pound xiii shilling; the maills of the Lenzie, of the Whitsunday's term of the xlvij zere, nine score and xiii merks xii shilling six pennies; the annual of the Kers, of the said term, xx pound; the said Whitsunday's maill of the Drippis xx pound; the said term's maill of xvj merks; the said term's male of the Dopis x pound; the said term's males of Auchirmoney xx pound; the said term's male of Lour viij pound vi shilling viij pennies; the said term's male of Glentoir, by the Abbot and Convent, xxxvj merks; the said term's male of the hale barony of Biggar one hundred and 6 merks four shilling viij pennies; the said term's male of Kilboche xlvij pound v shilling; the said term's male of the Quarter fifty shilling; the said term's male of Broghtoun iij pound; the said term's male of Burnatland x merks; the said term's male of Smalhoppis x pounds; the said term's male of Thankartoun ix pound xix shilling vj pennies Sume of males foresaid, iii^{c} and fourscore and xix pound xviij shilling four pennies. The ferme corns of Westwod, Cambusdreny, and the Bad, of the xlvj zeris crop, xv chalder vij bolls 2 firlots, sale corn price of the boll xiiii, summ viii score and pound v shilling Item, multure meall, ferm meall, and teynd meall, of the Lenze of xlvj zeris crop, xxxix chalder x bolls, one firlot, the price of the boll xx shilling, sum, five hundred and iiii score and xiiii pound vj

shilling iii pennies; by the Laird of Bordis, iii chalder xi bolls teynd, and a boll of the Newlands of Smyttoun teynd mele, and four bolls of Mongall making teind; the teind bear and ferm bear of the , for the said year's crop, iii score and ten bolls beir and malt, price of the boll xxx shilling, sum one hundred and v pound Item, Auchinstanry, of multure meall, v firlots, price xxv shilling; the laird of Bord and his tennents teynd mele, of the xlvj zeir crop, whilk stands in the barn yeard of the Bailsyde, whilk extends to iii chalder and xi bolls meall, price of the boll xx shilling, sum lix pound Item, in the said Balesyde yeard, of the said lairds and his tennents, teynd bear, of the xlvj zeirs crop, whylk extends to ix bolls teind bear, price of the boll xxx shilling, sum xiii pound ten shilling Item, in the said yeards, the teinds of the Newlands of Smyttoun, whilk extends to a boll of meal, price xx shillings Item, sawin in Mongal maling, of the xlvj zeirs crop of ats, xviij bolls, estimate to the third grain, price of the boll xiiii shilling, sum xxxvij pound xiiii shilling Item, sawin in the said maling, of bear three bolls, estimate to the said grain, price of the boll xxx shilling, sum iiii pound x shilling Item, rests in the Lenze of capons, vij score and xvj capons, of xlvj zeris capons, price of the peice, 2 shillings, sum xv pounds xii shilling; in the Lenze of hens, of the xlvj zeir's hens, x score and viij hens, price of the peice xij pennies, sum x pound viij shillings; the farm mele of Harbartshire, of the xlvj zeirs crop, whilk rests the said day xxvj chalder ii bolls ii firlots, price of the boll xx shilling, sum iiii hundred and xviii pound ten shilling; the multure mele of Auchinmoney of the said year's crop, xxx bolls, price forsaid, summ xxx pounds The capons of Auchinmoney, of the xlvj zeir's capons, iii score capons, price of the peice ii shilling, sum vj pounds Item the four men of the Nether Ward has goods prised of mine, whilk extends to iiii score pounds Item, Robert Bard, in the Dopis, has of my goods prised to him, extending to xl pounds The tennents of the Wythir has oxen of mine prised to xxii pounds xiii shilling iiii pennies Item, in Wille Gray's hand, and the widow of the Park, callit David Pills wyfe, has goods prised of mine to xviij pound iiii shilling Item, in their hands, xx bolls meall, price of the boll xiiii shilling, sum xiiii pounds. Item, in their hands, of bear ii bolls, price of the boll xvj shilling, sum xxxii shilling Item, in the hands of Jack Johnestoun, and Jak Thom of Wester Glencor, and his nightbours, goods of mine prised to iiii score viij pounds xvj shilling Item, in Russale hands of Gardrumhill, xvj kye, price

of the peice liii shilling iiii pennies, sum is xlij pound xiii shilling iiii pennies Item, in his hand, five three zeir alds, price of the peice xl shilling, sum x pound Item, in his hand, an ox of four zeir ald, price xl shilling Item, in his hand, an ox of three zeir ald, price xl shilling Item, in his hand, twa bulls, price iiii pound Item, in his hand, iiii score xlvj sheep, price of the peice vj shilling viij penneis, summ xlviij merks Sum that Russales guddis draws to in money, iiij score xiij pound vj shillings viij pennies. Item, in Will Gilmour's hands of Whitehus, xxi kye, price of the peice liij shilling iiij pennies, summ is iiij score iiij merks Item, in his hands, a bull of three zeir auld, price xl shilling Item, in his hands, twa stirks, price x shilling Summ of guddis in Gilmour's hands forsaid, whilk extends to in money, iiij score and x merks Item, in the Bailsyd, viij oxen, price of the peice iiij li., the sum xxxij lib Item, in Will Gilmour's hand, in hors and oxen profit to him of mine, extending to xvj merks. Item, in his hands, xxvj bolls aits, price of the boll xi shilling, sum xiij lib. Item, in the said Will hand, 1 boll bear, price xvi shill. Item, in the forrest in the first, viij kye that wes prised fra John Bog of Bracanbuss, prised to . Item, of the said John Bog, three oxen, ane of five zeir auld, and twa of four zeir auld, and ij stirks, whilk was prisit fra his miln, price xij merks. Item, rests in the fforrest, xij oxin of four zeir auld, price of the peice xl shilling, sum xxiiij li. Item, xij kye, price of the peice iiij merks, sum xlviij merks. Item, five quyes of three yeir, price of the peice xl shilling, sum x lib. Item, in the forrest, four stots of three zeir auld, price of the peice xxx shilling, sum vj lib. Item, xxiiij stirks of twa zeir auld, cum Belton, of them xvj in the Muerhuss, and viij with Donaldson in the Myrewood, price of the peice xx shilling, sum xxiiij lib. Item, of wedders in the fforest, vij score and x wedders, price of the peice viij shilling, sum iij score and viij lib. Item, rests in the forrest, xvij mare and staigs that is past a yeir auld, and x follis, overheid price of the said staigs and mares and follis, ii^{c} merks. Item, rests in Thankerton, of malt of the Martimas term of the xlvj zeir, Whitsunday term in the xlvij zeir, the said xv day of Februar, iii score xij bolls ij firlots malt, price of the boll xxx shill., sum i^{c} lib. iij ; ij sh. ix d. Item, rests of male in Thankarton, of the xlvi zeir crop, four chalders six bolls, price of the boll xx shilling, iij^{xx}x lib Item, rests within the barony of Biggar, of malt and bear, the said xv day of Februar, of the Mertimas term in the xlvj zeir, and Whitsunday term in the xlvij zeir, xi chalders

x bolls l ff. iii p. malt and bear, price of the boll xxx shilling, sum xiij score xix lib. ii shil. ix d Item, rests of former male on Biggar barony, of the xlvj zeir crop, vij chalder xv bolls l ff. ii pecks, price of the boll forsaid, sum vj score and vij lib. vij shilling vi d Item, rests in Biggar barony, iiij score capons, price of the peice ij shill., sum viij lib. Item, in Louk Wilson's hands, of prised guids of mine in the Lindsy of lands, extending to vij score, ix lib. vj shill. viij d. Item, in Louk Wilson's hands, in the Lyndsy lands, v chalders ats, at price of the boll x shill., sum xl lib Item, in Jek Kempis hand, xi kye, price of the peice iiij merks, sum is xliiij merks Item, in his hand, a bull, price xl shilling Item, in his hand, iij stirks, price of the peice xx shill, sum iij lib Item in Jean Paterson elder's hand, xi score vij yois, xiiii kubbis, iij score v yeld yois, iij tuppis, xi score vij hoges, and v score iiij gymmers ; sum of sheep forsaid in Jean Paterson elder's hands, xxxij score viij sheep, price of the peice overheid, viij sh., sum xij score lib. xix lib. iiij shill. ; in Jean Paterson younger's hands, of schip xxxij score twa schip, price of the peice overhead viij shill., sum xii score xvj lib xvi shill Item, in the Boghall, that draws in plough and paddok, xiij oxin, price of the peice iiij lib., sum lij lib Item, hele sawin in the Boghall this instant zeir, v chalder xiiij bolls ats, estimat to the third grain, price of the boll x shill., sum vj score xj lib Item, to be sawin in the Boghall, of bear, this instant zeir, xij bolls, estimat to the fourth grain, price of the boll xx shill., sum xlviij lib Item, in the muir houss ix oxin, price of the peice iiij lib., sum xxxvj lib Item, to be sawin in the muir houss, this instant zeir, v chalder ij bolls ats, estimat to the third grain, price of the boll x shill., sum vj score iij lib Item, to be sawin this instant zeir in the muir houss iiij bolls bear, estimat to the fourth grain, price of the boll xx sh., sum xxvj lib Item, to be sawin in Mossffennin xx bolls ats, estimate to the third grain, price of the boll x shilling, sum xxx lib Item, the twa men of the Ranehaw xvj bolls male of the xlvj yeir crop, price of the boll xx shil., sum xvj lib Item, the said twa men hes of my means iiij oxin, price viij lib Item, the said twa men hes of mine xvj bolls ates, price of the boll x shill., sum viij lib. The said twa men hes of mine iiij bolls bear, price of the boll xx shill., sum iiij lib The miller of Killaeke xx bolls male, price forsaid, sum xx lib The said miller xij bolls sale bear, price of the boll xxx shill., sum xviij lib The miller of Glenquh . . . xvj bolls male, price forsaid, sum xvj lib The said miller, twa bolls sale bear, price forsaid, sum three lib.

The Queens rests awin me v^{c} lib., to be paid betwixt and Mertimes next terms.

The sum of the Inventar, with debts awing to me
v.jaj and vj pound xviij shill. iiij pennies

The Debts that I rest awing.

In the first, to my Lord Levingstoune viij^{c} and fifty merks, to be paid after the term, whilk contract is ackit in the Chapell Royal books of Stirling.

The Abbot of Cambuskennet and Convent of the same
of the xlvj zeirs crop vj score merks.

Item, to the said

Sum of debts forsaid, vij^{c} and xij lib. xiij shill. iiij d.
Swa rests v.jaj iii^{c} vj lib. v shilling.

Legacie.

In the first, I leif to James, my eldest son and air, my insight within the place of Cummernald, with the silver wark, that is to say, an bason, an cover, two gilt cups with covers, vj of silver, vj silver spoons, ane dozen of silver trinchers, two salt fats of silver. The chapell graith of silver, that is to say, ane cross with the crucifix, twa silver shandellers, two silver croadds, ane haly water fatt, with the haly water stick, ane silver bell, ane chalice, with the patine of silver, with all the haill stand of vestments pertaining to the samen, with all and sundry insights within the place of Cummernald, the day of the makeing of this present writte, whilk is closit in a writtin minute with this writting. I leif my wyfe the house of Biggar, with the insight within the samin, except the artilzere, whilk I leif to my said son and heir, that is within the said place of Biggar. Also, I leif my wyfe all the oxin, and kye, and corns, and bear, that grows within the Mains of Boghall. I leif John, my second son, jaj lib. I leif my daughter Agnes jaj merks. I leif Mary, my daughter, jaj merks, and makes my son and daughters aforesaid assignais to all my guids foresaid, ay and while they be redd and payit of the said money, whilk I heif leift them in this my legacy, which is before mentionit; and I leif all vestments that was indued to the kirk of Biggar and colledge of

the samin, and all other profits whilk belangs to themselves, as the erection of the colledge bears, to the utility and profite of the samen, ay and while the kirk, colledge, alemosineress, and mansion house be biggit and putt in their own places, as the erection of the said colledge bears; and ordinis v^c^ merks of my own propir guddis to be tane to buy vestments, and bigging of the said colledge and mansions, chalices, or ony other necessar things that is needfull for the said colledge, and ordenis instantly, ettir the completing of the said colledge, to bear my fathers eymmeter fra the place of Boghall to the colledge, whilk sall be born the xii day of October, in the solemnest gate that can be devisct baith to the honour of God.

I mak William my son assigney , and profits of the of Hopkelze that is bygane and to cum. Also, I leif William, my son foresaid, assigny to Jean Lindesays marriage of Stirkfeild. I make John, my bastard son, assigney to the Laird of Hallduns marriage, and the profits thereof. I leif sax chalder of male to be delt annually to my tennents of Lenze, Harbartshyre, Biggar, and Thankarton All my claytts to be dealt betwixt my twa sons gottin with my wyfe, and part of them to be given to the colledge of Biggar, as my executors and oversmen thinks expedient; and leif till the grayfriers of Glasgow xx lib., to pray for me; and twenty pound I leif to the ffour chaplains of the Lenze and Biggar, to pray for me, and to be divided as my executors find expedient; and I leif twenty pound to the poir Householders within the Lenzie and Biggar, that pays me nocht, that are fallen folks, to pray for me; and I leif amongst my servants iiii^c^ merks, which I sall leif in ane lockit

I leif John, my bastard son, 1^c^ lib.; to William, my bastard son, 1^c^ merks; and to Kathrine Murray, to marry her, 1^c^ lib.; and to Patrick Murray, son to Patrick Murray of Fallowhill, 1^c^ merks; and to the Livingstoun, to help him to where he passis to his house, 1^c^ lib.; and the laif of all my guiddis that is mair nor is disponed, I make John, my younges son, assignay to the samin And this my latter will and mind at this time And this done at Cumbernald, before thir witneses, Robert Kincaid, Mathew Fleeming, Mr. Alexander Livingston, Gilbert Mylne, and Sir Thomas Johnstoun, nottar publicks, with others; and, for the more verification to thir presents, I haif affixit signet with my subscription manuall, together with

the subscriptions of the said Sir Thomas Johnstonn, chaplain and nottar publict, day, zeir, and place and witneses foresaids. Sic subscribitur,

Ml. Chilmerlin.

Ita est Thomas Johnstoun notarius publicus attestor Teste manu propria.

XXXVII.

A Note of the Charters taken out of the Laird of Dalziell's Charter Chest, relating to the Dalziels of that Ilk, by Mr. Geo. Craufurd.

Imp. a Charter granted by King David the Second, under the Great Seall, dilecto et fideli nostro Malcomo Fleeming militi, quod ipsi et heredes sui habeant, teneant et possideant baroniam de Laynie, baroniam de Kilmoronock, et omnes terras suas baronie de Dalliell, ac omnes alias terras quos de nobis tenet in capite, in liberam warrennam, imperpetuum, cum omnibus libertatibus ad liberam warrennam pertinentibus. In the charter there is a discharge of every one to hunt or hawk within these bounds, super nostram plenariam forisfacturam decem librarum. Testibus, Alexander, John, and Roger, Bishops of Aberdeen, Murray, and Ross, Willielmo de Ross nepote nostro charissimo, Philippo le Meldrum militi et Thoma de Carnotto cancellario nostro Scotie, apud castrum de Kyndrumy vigesimo die Junij, et regni nostri tertio decimo.

Item, a Charter by King David the 2d, Roberto senescallo de Shandbothy, de terris de Dalzel et de Madervale cum pertinentiis, infra vicecomitatum de Lanark nos contingentes pro eo quod heredes quondam Roberti Delvall militis contra federa et pacem nostram in Anglia commorantur, tenend. et habend. eidem Roberto et heredibus suis in liberam baroniam, adeo libere, sicut quondam Malcomus Fleeming et predictus Robertus Dalvall miles held them ; apud Edinburgh, 20th of March, the 33d year of the King's reigne. Testibus, Roberto senescallo Scotie, comite de Strathern, etc.

Item, a Charter under the Great Seall of King Robert the Second, Duncano Wallace militi, et domine Elenore de Bruis comitisse de Carrik sponse sue, totam baroniam de Daliell, de Madervale, cum pertinenciis infra vicecomitatum de Lanark, totam baroniam de Oxnam et de Ileton,

et totam terram de Maxton, infra vicecomitatum de Roxburgh, totam terram de Erthbysset et Slamanan et Wester Banock, cum pertinenciis infra vicecomitatum de Stirling, together with an annuity of ten merks out of the lands of Barras in the shire of Kincardine, on Sir Duncan's resignation, and to him and the countess his wife and their heirs, which failing to the heirs of Sir James Sandilands, and failling of these to the heirs male of Allan of Cathcart, which failling to the heirs male of Robert de Colquhoun. Apud Dunfermling, 22d of October, the 3d year of the King's reigne. The ordinary witnesses to that King's charter.

This Sir Duncan Wallace dyeing without issue, the lands of Daliell came to Sir James Sandilands, the first member of the tailzie, for there is a charter by King Robert the 3d, Georgio de Daliell totas et integras terras de Daliell, que fuere dilecti fratris nostri Jacobi de Sandilands militis, and were resigned by him. The charter provides the lands to George Daliell, and the heirs male of his body, which failing to the heirs of Sir William Daliell, his father, whatsomever. Test., Da. senescallo Scotie, primogenito nostro comite de Carrik, etc. Apud Linlithgow, 5th June, the 8th year of the King's reigne.

Renunciation of all right, Joanna relicta quondam Jacobi Sandielands militis domini de Calder had in the barony of Daliell, of which she had a right, in conjunct fee, in favours of George de Daliell filium et heredem domini Willielmi de Daliell militis: to which this lady, the king's daughtor, appends her seall, at Edinburgh, the 15th Aprile, 1400.

XXXVIII.

Abreviats taken out of my Lord Elphinston's Charter Chest. By Mr. George Crawfurd.

Willielmus de Lindesay dominus de Byris directs a precept to his baillie of the lands of Petindrich, in Stirlingshire, carissimo consanguineo suo (says the granter) Willielmo de Elphinston, domino ejusdem; of the lands of Petindrich, et heredibus masculis de corpore suo legitime procreatis seu procreandis; quibus forte deficientibus, Alexandro de Elphinston et heredibus suis masculis de corpore suo legitime procreatis seu

procreandis; quibus deficientibus Normanno de Elphinston and to his heirs male, which failling, Jacobo de Elphinston fratri suo and to his heirs male; which failling to Willam's lawfull heirs quibuscunque, dated 6th September, 1397.

Charter granted by Thomas de Erth miles, dominus de Walington, Alexandro de Elphingston filio quondam Johannis de Elphingston, totam illam terram cum pertinentijs que fuere quondam Marjorie matris sue, in tenemento de Erthbeg, and which she resigned in the hands of her superiour in her widuity, to which his seall was appended. Witnesses, domino Roberto de Lawder, tunc justiciaro Laodonie, domino Malcolmo Fleming, domino Gilberto filio Walteri, militibus, Reginaldo More tunc camerario Scotie, Johanne de Kallentar, Willielmo de Mughale, clerico, et multis alijs. It's the character of charters of King Robert the 1st.

Charter by Murdacus, Duke of Albany, comes de Fyfe et de Meneteth ac gubernator Scotie; confirms a charter granted by Willielmus de Lindesay dominus de Byris miles, dilecto consanguineo suo Willelmo de Elphinston filio et heredi quondum domini Willielmi de Elphinston militis nostri (that is his vassall) pro homagio et servitio suo, nec non pro retinentia speciali nobiscum pro toto tempore vite sue, Omnes terras nostras de Petindrich, in vicecomitatu de Stirling, and to his heirs male lawfully procreated of his body, which failling to the heirs male of Alexander Elphinston his brother, and to the heirs male of his body lawfully procreated, which failling to Norman Elphinston his brother, and his heirs male, which failling to the heirs male of his brother, James Elphingston. Witnesses to the Lord Byris charter, Walter and Dugall, bishops of Saint Andrew's and Dunblain, Robert, Duke of Albany, Erle of Fife and Monteth, Archibaldo de Dowglas domino Galdwidie, David de Lindesay de Crawfurd, comitibus, Thoma de Erskine domino ejusdem Georgio de Lesly domino de Rothes, militibus. Testibus to the Dukes confirmation, Alexander Stewart de Kincleven filio nostro dilecto, Jacobo de Douglas de Balveny fratre nostro, Roberto de Cuninghame de Kilmaurs, Archibaldo Stewart, Johanne de Lumsdean vicecomite de Fyfe, consanguineis nostris dilectis, Alano de Ottirburn secretario nostro, apud Edinburgh 4$^{to.}$ Martij, 1423, et regni nostri gubernationis anno 4$^{to.}$ This William's brother, Alexander, had a daughter, and was slain at Piperden,

and of Norman or James was William, archdean of Teviotdale, father to the Bishop of Aberdeen ; and Henry Elphinston has been a son of the house, or rather of one or other of these three brothers, and the Bishop his cousine-german, son to William, who was son to James or Norman.

There is a Charter granted by Johannes dominus Lindesay de Byris, ac baro baronie de Dean, dilecto consanguineo suo, Johanni Elphingston filio Jacobi de Elphinston, filio et apparenti heredi Henrici Elphingston de Petyndreich ; so that he has succeeded as heir male to these lands on Henry's resignation, and to the heirs male lawfully to be procreat of John's body, which failing to the lawfull heirs male of Henry whatsomever, at Edin^r., 6^th^ Sept^r^, 1477. Magistro Jacobo Lindesay, Archibaldo Lindesay filiis meis. This James is the provest of Lincludan, I apprehend.

The same Lord Lindesay gives the lands of Erthbeg to John Elphingston, on his grandfather Henry Elphingston of Petyndrich's resignation, and to his heirs male, which failling to his grandfather's heirs male. 6^th^ November, 1477.

Another Charter granted by John dominus Lindesay de Byris, ac baro baronie de Chamberlane Newton, gives dilecto consanguineo suo Johanni Elphinston, fillio Jacobi Elphinston filij primogeniti et heredis apparentis Henrici Elphinston de Pityndrich, et Eupheme sponse sue, and to their heirs male, which failling, to the heirs male of his grandfather, Omnes et singulas terras meas de Arikshaw, in the barony of Chamberlane Newton, and shire of Roxburgh, on Henry's resignation, Edin^r., 6^th^ Nov^r., 1477. Upon which three Charters there is an Instrument taken of the same date. Witnesses, Will. Elphinston, cannon of Glasgow, Lawrance Elphinston, who likeways appends his seall to the deed, who I take to be brothers, the one father to the bishop of Aberdeen, William ; and Lawrance father to Andrew Elphinstone of Selmes, and John, burges of Glasgow.

Charter under the great Seall by King James 4^th^, dilecto suo familiari Johanni Elphingston de Erth militi, Omnes et singulas terras et barouiam de Erth, Chamberlan Newton, terras de Pettyndrich, et terras de Craig-

erth in vicecomitatu de Stirling, on his own resignation, which lands and barony, pro fideli et gratuito servicio nobis per prefatum Johannem impenso, ac pro singulari favore quem gerimus erga eum, creamus, unimus, annexímus et incorporavimus in unam meram liberam baroniam, perpetuis temporibus futuris, baroniam de Elphingston nuncupandam, necnon villam de Litle Erth, principale messuagium ejusdem baronie de Elphingston existere, et predictum nomen de Elphingston in perpetuum gerere et habere. Tenend. eidem Johanni et heredibus suis masculis quibuscunque. Wittnesses: James, archbishop of Saint Andrews, Duke of Ross, &c.; William, bishop of Aberdeen. Privy seall, 4th January, 1503.

Sasine of Alexander Elphingstone of Innernochty to quondam John Elphingston de eodem militi, his father, 19th of October, 1508. So that the erection to him of a barony did not make him a peer.

Charter by Will. de Keth, mariscallus Scotie, et Margaret sponsa sua, [whereby they] give nobili viro domino Willelmo de Lyndesay domino de le Byris in excambium terrarum de Donnotter, jacentium in vicecomitatum de Kyncardyn, Omnes terras meas de Petindrich, infra vicecomitatum de Stirling, que fuerunt quondam Thome Fraser, and he resigned, to which they appone their sealls. No date. Testibus Waltero, Roberto, et Stephano, bishops of Saint Andrews, Dunkeld, and Brechin, magnificis et potentibus viris Roberto de Fyfe et de Monteth, Georgio Marchie domino vallis Annandie et Mannie, comitibus, ac nobilibus et potentibus viris, dominis, Jacobo de Lindesay, domino de Buchane; David de Lindesay, domino de Glenesk; Alexandro Fraser, militibus, It's before ann. 1399 that Menteth was created Duke of Albany.

Anno 1511.—Alexander, Lord Elphingston is so designed in a contract betwixt him and the town of Stirling, so that year he is lord; retour at Perth, before William, Lord Ruthven, shirriff of Stirling, by speciall commission, qui jurati dicunt, quod quondam Alexander dominus Elphingston pater Alexandri Elphingston, &c., 27th Decem^{r}, 1513.

Original testament of William, the first Earle of Montrose, bearing that he was slain apud Northumberland sub vexillo Regis, wherein he ac-

knowledged he owed Domino Luss ratione dotis filie mee and Domino Luss juniori xx l. he requests his soul to God, beate Virgini Marie et omnibus sanctis, and his body to be buried in ecclesia fratrum predictorum prope Stirlyn. He leaves to Patrick, his son, omnia bona mobilia; lego Margarette et Elizabethe filiabus meis maritagijs dotum Will. filij mei et heredis; and appoints tutors testamentar to William, his son and heir; Christian Vavane, his wife; Sir Walter knight; and Mr. Robert Grahame.

Precept of Sasine by John Elphingston of Pitindrech to Alexander Elphinstone, his son, of the lands of Stirkfild, in the barony of Chamberlane Nenton, in the shirrifdome of Selkrig, to which John Elphingston of Pittindrech appends his seall, at Edin^{r}, Octo^{r} 2nd, 1497. Witt^{s}: Andrea Elphingston de Slemeys. I take him to be his cousin-german. This Sir John I find had a daughter, that was married to Kinross of Kippenross, and a second son John.

In the Tailzies after Slemys, there is John Elphinston, burges of Glasgow, whom I take to be father to George, in 1546, and grandson to William, Canon of Glasgow, and of Laurance is Selms. Sir John Elphinston's wife is Margaret.

Contract of marriage betwixt Sir John Elphinston of that ilk, knight, whereby he contracts his daughter to James Kinros, son and heir apparent to John Kinros of Kipenross, in the year 1504.

Obligation by John Kinros of Kipenross, to a noble and mighty Lord, Alexander, Lord Elphinston, 27th March, 1510. This is the first time that the Lord Elphinston is a Lord of Parliament.

Resignation by Margaret Hepburn of her part of the Gargarock plain and Fordill, in favours of Alexander Elphinston of that ilk, dated 22d June, 1509. He is then no Peer, nor before the 27th March, 1510, that is called a noble Lord, and simply Lord Elphinston.

Instrument of Sasine in favours of Alexander dominus Elphinston of

the lands of Gargarrok, Fordell, &c., dated 19th June, 1510, so that 'tis plain the House of Elphinston were made Lords in the beginning of the year 1510.

Charter by Joannes dominus Lindesay de Byres Joanni Elphinston de Pittendrich of the lands of Pittendrich, on his own resignation, and to the heirs male of his body, which failing, to the heirs male of the body of Alexander Elphinston his brother, which failing, to Andrew Elphinston of Selmys, and the heirs male of his body, which failing, to John Elphinston, burgess of Glasgow, dated 20th Decemr., 1496.

Charter granted by Thomas Forrester of Carnock, and Margrat Stewart his spouse, of a part of the lands of Archbeg, to John Elphinston of Pittendrich, and Mary his spouse, dated 20th May, 1493.

BIRTH BRIEVES

FROM THE

REGISTERS OF THE BURGH OF ABERDEEN.

1637—1705.

BIRTH BRIEVES

FROM THE

REGISTERS OF THE BURGH OF ABERDEEN.

1637—1705.

Septimo Julii, 1637.

In presence of Johne Leslie, baillie, it wes sufficientlie verefeit and prowin be thir witnessis vnderwrittin, be thair aithis solempnelie sworne, viz., Mr. Willeame Barclay, aduocat in Aberdene, George Mengzeis, burges of Aberdene, and Johne Bruce of Grayes Fortrie, that Johne Cheyne, burges of Zakroczim in Masovia, within the kingdome of Pole, is lawfull sone to vmquhill Willeam Cheyne of Baybushe, and vmquhill Elisabeth Troup his spous, procreat betuixt thame in the honorable band of matrimonie, and that his guidschir, Mr. George Cheyne wes sone to Alex^r^ Cheyne of Straloch, and so on the father syd he is lawfullie discendit of the houssis of Straloche, Fywie, and Wardes, and on the mother syd of the houssis of Begishill, Leslie of that ilk, and Ros of Kilraack, whairvpon the baillie forsaid decernis a testimoniall to be gewin to the said Johne Cheyn in due forme as efferis.

Decimo octauo Julii, 1637.

In presence of ane honorable man, Mr. Alexander Jaffray, prouest, it wes sufficientlie and cleirlie verefeit and provin be thir witnessis vnder-

writtin, solempnelie sworne, viz., Johne Lummisden of Tullikarne, Alex^r Lummisden his eldest sone, Alexander Burnett of Cluny, and Johne Gordon, sone to the laird of Sauchin, that Marioric Gordon, wha now is purposed to Germanie, is lawfull daughter to Patrik Gordon, younger of Kincraigie, and vmquhill Elizabeth Gordon his spous, procreat betuixt thame in the honorable band of matrimonie, and that the said Marioric is discendit on the father syd of the nobill houssis subsequent, to wit, the Marques of Huntlie and Lord Forbes of Drimminnour, and on the mother syd of the houssis of Drum and Edzell; whairvpon the said lord prouest decernis ane testimoniall to be gewin to the said Mariorie vnder the townes secreit seall, in due forme as efferis.

Vigesimo quinto Octobris, 1639.

The quhilk day, in presence of honorable men, Patrik Leslie, prouest, and Mr. Mathew Lummisden, baillie, it wes cleirlie verefeit and provin be thir witnessis vnderwrittin, sworne and examined, viz., Alex^r Gordon of Birsmoir, Johne Forbes, baillie of Auld Aberdene, Richard . . . that capitan George Gairdyne, now residen in Germanie, is lawfull sone to vmquhill Alex^r Gairdyn of Banchorie, procreat betuixt him and Jonet Straquhyn his spous in the honorable band of matrimonie, and that the said Alex^r Gairdyn wes lawfull sone to vmquhill Arthure Gairdyn of Banchorie, quhilk Arthure Gairdyn wes sone lawfull to George Gairdyn of Banchorie, and that Elspet Gordon, daughter to George Gordon of Gicht, wes mother to the said Alex^r Gairdyn, quhais mother wes Elizabeth Gordon, daughter to the laird of Lesmoir, also declares that Arthure Gairdyne's mother wes Issobell Keyth, daughter to the laird of Troup, wha wes lawfull sone to the Erll Mershall, sicklyk that Jonet Forbes, daughter to James Forbes of Brux, wes mother to the said Jonet Straquhyne, hir guiddam wes Marioric Forbes, daughter to the Lord Forbes; the laird of Glenkindies mother wes Issobell Stewart, daughter to the laird of Latheris, quha wes discendit of the hous of Innermeath, whairvpon the prouest and baillie forsaid decernis a testimoniall to be gewin to the said capitan George Gairdyn in due forme as efferis, vnder the townes secreit seall.

Decimo nono Januarij anno Domini millesimo sexcentesimo quadragesimo secundo.

The quhilk day, in presence of Mr. Alex^r^ Jaffray, prouest, it wes cleirlie verefeit and provin be thir witnessis vnderwrittin, sworne and examined, viz., Johne Forbes of Leslie, Willeam Orum in Dillab, Willeam Forbes, sone to the laird of Leslie, and Robert Mylne, merchant, burges of Aberdene, that Robert Farquhar, merchant in Poisnay, within the kingdome of Pole, is lawfull sone to vmquhill Willeame Farquhar in Dillab, and vmquhill Jeane Merser his spouse, lawfullie procreat betuixt thame in the honorable band of matrimonie, and that he is discendit of the houssis of Tolquhone and Glenkindie on his father syd, and of the houssis of Skene and Ady on the mother syd, whairvpon the prouest decernis a testimoniall to be gewin to the said Robert Farquhar in due forme as efferis, vnder the townes privie seall.

Secundo Maij, 1642.

In presence of Mr. Alexander Jaffray, prouest of Aberdene, and Mr. William Moir, ane of the baillies of the said burgh, it wes sufficientlie verefied and provin be thir witnessis vnderwrittin, sworne and examined, viz., Mr. Alex^r^ Dauidson, aduocat, George Meldrum, Johne Ingrahame, Andro Sibbald, burgessis of Aberdene, and George Sibbald, brother to the said Andro, that Johne Sibbald in Glencowy, and lieutenent colonell Dauid Sibbald, who (as is reporte) wes killed in the German warres in the moneth of September or thairby last bypast, he then being serving the warres vnder the croun of Swaden, ar borne gentillmen and brother german lawfull sones to vmquhill John Sibbald of Keir, and Jonet Strachan his spous, yit on lyff, and that the said vmquhill lieutenent colonell Dauid Sibbald nather had nor hes ony ma brother german except onlie the said John Sibbald, whairvpon the prouest and baillie forsaid ordanes a testimoniall to be gewin to the said John vnder the townes secreit seall and subscription of the town clerk, in due forme as efferis.

Att Aberdein, the 22nd Novembris, 1645, in presens of George Moresone, baillie,

The said day it wes verified and provin be the witnessis vnderwreitin, viz., John Farquhar of Norhame, that Issobell Leith is lauchfull dauchter to vmquhill Mr. William Leith of Newlands, procreat in the lauchfull band of matrimony, betuixt him and vmquhill Mariorie Forbes his spous, dochter to vmquhill John Forbes of New, quhairvpon the baillie foirsaid ordanes ane testimoniall to be drawin vp vnder the touns secreit seall in forme as efferis, and that she is discendit of honorable parentage.

Aberdein the sewintein day of Aprile, 1646, in presens of Mr. Thomas Gray, provest, and George Cullen, baillie,

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Andro Birny and John Gardyne, burgessis, that major George Meldrum, Scotsman, now in service of the parliament in Ingland, is lauchfull sone to vmquhill Andro Meldrum of Auchinhuiff, procreat in the holie band of matrimony betuixt him and vmquhill Violat Chein his spous, and that the said vmquhill Andro Meldrum his mother wes Helen Meldrum, lauchfull dochter to vmquhill Thomas Meldrum of Idem, and that the said vmquhill Helene Meldrum hir mothir wes lauchfull dochter to vmquhill Thomas Vrquhart, laird of Cromertie, and that the said vmquhill Thomas Meldrum his mother wes dochter lauchfull to the Earle of Atholl. The said vmquhill Andro Meldrum of Auchineve his father wes Patrik Meldrum of Auchineve, whos mother wes Issobell Cuming, dochter to Sir William Cuming of Inneralochie, knicht, and that the said Violat Chein, mother to the said major George, wes dochter lauchfull to vmquhill William Chein of Arnage, and that the said Violat hir mother wes Issobell Irving, dochter to the laird Drum; and the said William Chein of Arnage his mother wes Christian Fraser, dochter to the laird of Dures, and that the said Issobell Irving hir mother wes Elizabeth Ogilvie, lauchfull dochter to the laird of Findlater, and that the said Issobell Ogilvy hir mother wes dochter to the

Earle of Huntly, quhairvpon the said provest and baillies ordanit ane testimoniall to be drawin vp vnder the touns secreit seall, in forme as effeirs.

3rd Junij, 1646, in presens of George Cullen, baillie.

The said day, in presens of the said baillie, it wes verified and provin be the witnessis vnderwreitin, viz., James Robertsone and Andro Birny, burgessis of Aberdein, that John Chein in Pitercow, within the kingdome of Poll, is lauchfull sone to vmquhill Thomas Chein of Pitfichie, procreat betuixt him and Catherin Fraser his spous in the holie band of matrimony, and that he is discendit of honorabill parents. Quhairvpon the provest and baillies ordanit ane testimonye to be drawin vp vnder the touns secreit seall in forme as effeirs, and that the said John Chein his father's mother wes Katherin Chalmer, dochter to Mr. Gilbert Chalmer of Balnacraig, and the said Thomas Chein his father wes Mr. Patrik Chein of Ranystoun, and the said Catherin Fraser hir father wes Michaell Fraser, laird of Mukells, and hir mother wes Issobell Forbes, dochter to the laird of Monymusk.

29th Junij, 1646, in presens of George Cullen, baillie.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Patrik Leslie, lait provost of Aberdein, John Gardyn, messinger, and Andro Birny, that Patrik and John Gordons, resident within the kingdome of Poll, ar lauchfull sones to vmquhill John Gordon, burges of Aberdein, procreat betuixt him and Beatrix Leslie his spous, in the holy band of matrimony, and that they ar discendit of honorabill parents, and that the said vmquhill John Gordon his father wes vmquhill John Gordon of Birsmoir, and his mother wes Margrat Gordon, dochter to the laird of Lesmoir, and that the said Beatrix Leslie hir father wes vmquhill Patrik Leslie, sometyme baillie of Aberdein, and hir mother vmquhill Issobell Seatoun, dochter to vmquhill William Seatoun of Balthelny. Quhairvpon the baillie foirsaid ordanit ane testimoniall to be drawin vp vnder the touns secreit seall in forme as effeirs.

23rd July, 1646, in presens of George Cullen, baillie.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz. Doctor William Guild, principall of the Kings Colledge of Old Aberdein, and Gilbert Skein of Dyce, that James Couts, sometyme merchand in Crosna, in the kingdome of Poll, now resident in Dansik, is lauchfull sone to vmquhill Robert Couts of Auchtercoull, procreat betuixt him and vmquhill Jeane Gordon his lauchfull spous in the holie band of matrimony, and that the said vmquhill Robert Couts of Auchtercoull his mother wes Issobell Forbes, lauchfull dochter to vmquhill Alex[r] Forbes of New, and the said Robert Couts his father wes Robert Couts of Auchtercoull, whose mother wes Gordon, dochter to the laird of Craig, and that the said Issobell Forbes hir mother wes Jeane Lumisdane, dochter to the laird of Cushny, and that the said vmquhill Jeane Gordon, mother to the said James Couts, wes dochter to John Gordon of Carneborrow, and that the said Jons mother wes Drumond, dochter to the Lord of Madertie, and that the said Jeane Gordon hir mother wes dochter to Alex[r] Bannerman of Watertoun. Quhairvpon the baillie foirsaid ordanit ane testimoniall to be drawin vp vnder the touns secreit seall, in forme as effeirs.

16th Aprile, 1647, in presens of George Cullen, baillie.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Alex[r] Blak, younger, and William Blakhall, burgessis of Aberdein, that Mr. William Blakhall, now in the vniuersitie of Bromyberrie, within the dukedom of Spruce, is lauchfull sone to vmquhill Robert Blakhall, burges of Aberdein, and Elspet Schand his spous, procreat betuixt them in the holie band of matrimonie, and is lineallie discendit on the father syde of the lairds of Blakhall of that ilk, and of the lairds of Ury Hay, and on the mother syde is lauchfullie discendit of the laird of Petfoddells Reid, and Menzeis of Dwrne. Quhairvpon the baillie foirsaid ordanit ane testimoniall to be drawin vp under the touns secreit seall, in forme as effeirs.

27th May, 1648, in presens of ane honorabill man, Patrik Leslie of Whythall, provest of Aberdein.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Robert Skein of Auchtermuchtie, Robert Smith, eldar, and Alex^r^ Thomson, advocat, burgessis of Aberdein, that John Irving, secund lauchfull sone to vmquhill Mr. Robert Irving of Moncoffer, procreat in the holie band of matrimony betuixt him and Margrat Skene his mother, and that he is lineallie and honorablie discendit of the families following, to wit, that the said vmquhill Mr. Robert wes secund lauchfull sone to vmquhill Alex^r^ Irving, laird Drum, whos mother wes dochter to vmquhill William Earle Marshall, his gudame dochter to the Earle Findlater, and his grandame dochter to my Lord Forbes, and that the said Margrat Skein, mother to the said John Irving, is lauchfull dochter to vmquhill Alex^r^ Skein of that ilk, hir mother dochter to the laird of Caskiben, hir gudame dochter to the Lord Forbes, and hir grandame dochter to the laird of Inverugie. Quhairvpon the provest foirsaid ordanit ane testimoniall to be drawin vp vnder the touns secreit seall, in forme as effeirs.

12th Junij, 1648, in presens of George Menzeis, baillie.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Mr. Thomas Gray, lait provest of Aberdein, George Moreson, Thomas Mortimer, lait baillies, and Mr. William Aidie, burgessis of Aberdein, that vmquhill John Forbes, capitan vnder major Robert Hog, wha died in the Emperor's service, is onlie brother german to Thomas Forbes, lauchfull sone to vmquhill Thomas Forbes, baillie of Aberdein, procreat betuixt the said vmquhill Thomas and Mariorie Menzeis his mother in the holie band of matrimony, and that Jeane Forbes is onlie sister german to the saids John and Thomas Forbessis, and siclyke that the saids Thomas and Jeane Forbessis ar narrest lauchfull airs to the said vmquhill John Forbes. Lykeas the saids Thomas and Jeane Forbessis gives full power and commission to Thomas Forbes, eldest lauchfull sone to vmquhill William Forbes of Cottoun, lait baillie of Aberdein,

and brother on the father syde to the said vmquhill John Forbes, Thomas and Jeane Forbessis, to be plenipotent factor and commissioner for them, for receaving to their behove of sic guids and geir, debts, soumes of money, gold, siluer, cunseit and vncunseit, and vther guids and geir, moveable and vnmoveable, quhilk belongs or ony wayes may belong to them be deceiss of their said vmquhill brother, as narrest lauchfull airs to him, with power to the said Mr. Thomas to persew whatsumeuer persone or persones havers thairof, and to obtein decreit thairon, acquittances and discharges, to mak, grant, and subscryve anent the premissis, that they micht doc them selues if they wer personallie present. The baillie foirsaid decernes a testimoniall to be gevin furth vnder the touns secreit seall, in forme as effeirs.

29th Junij, 1648, in presens of Jhone Jaffray.

The said day, it wes verified and provin be the witnessis wnderwreattin, viz., Bartle Scherar in Reathes off Dyice, Mr. Williame Andersone in Dyice, Jhone Symsone in Beildestoun, James Murray in Corshill, that Bartle Chalmer, now leiving in the kingdom of Poll, [is] sone to vmquhill William Chalmer, sumtyme in Pitmedden, procreat betuix him and Agnes Kellie in the holy band of matrimonie, and that he is descendid of honest parentage. Quhairvpone the bailzie forsaid ordanit ane testimoniall to be drawin out vnder the touns secreat seall, in form as effeirs.

3rd October, 1648, in presens of George Cullen and Johne Leslie, baillies.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Johne Gordon of Sheills, Mr. Thomas Chalmer, Johne Broun, and that Mr. Adam Gordon, principall and professor of the Greik tongue in the colledge of Mell in France, is lauchfull sone to vmquhill William Gordon, sometyme baillie of Banff, procreat betuixt him and Elizabeth Chalmer his spous in the holie band of matrimony, and that the said vmquhill William Gordon his mother Jannet Innes wes

lauchfull dochter to Alex[r] Innes of Kirkhill, and that the said Alex[r] Innes his mother wes lauchfull dochter to the laird of Reidhall, and that the said vmquhill William Gordon his father wes lauchfull sone to George Gordon of Slyuy, and that the said George mother wes dochter to the laird of Boig Stewart, and that the said George Gordon his father wes William Gordon of Mureraik, and that the said Elizabeth Chalmer wes lauchfull dochter to vmquhill Patrik Chalmer, shirreff clerk of Banff, and that the said vmquhill Patrik his father wes laird of Balnacraig, and that the said Elizabeth hir mother wes Violat Johnstoun, dochter to the laird of Caskiben, and that the said Violat Johnstoun hir mother wes dochter to the laird Delgatie Hay, and that the said vmquhill Patrik Chalmer his mother wes dochter to the laird of Petmedden Pantoun. Quhairvpon the baillies foirsaid ordanit ane testimoniall to be drawin vp vnder the touns secreit seall, in forme as effeirs

Quinto Januarij, 1649, in presens of Mr. Thomas Gray, provest, Mr. William Moir, and Robert Crukschank, baillies.

The said day, it wes verified and provin be the witnessis vnderwreitin, viz., Mr. James Hervie, minister at Over Machar, Johne Tullidaff, George Gordon, and William Cuthbert, burgessis of Aberdein, that Mr. James Gordon, lait minister at Kinoir, is lauchfull brother to vmquhill Robert Gordon, sometyme resident in Dansik, procreat betuixt Alex[r] Gordon and Jannet Maitland in the holie band of matrimony, and that the said Mr. James is discendit of honorabill parentage. Quhairvpon the provest and baillies ordanit ane testimoniall to be drawin vp vnder the touns secreit seall, and that the said vmquhill Robert Gordon wes onlie sone of the said Alex[r] Gordon, procreat betuixt him and vmquhill Elizabeth Meldrum his first spous in the lauchfull band of matrimony, and that Mr. James Gordon and Richard Gordon, Jeane, Susana, and Christian Gordons are lykewayes the children of the said Alex[r] Gordon, procreat betuixt him and Jannet Maitland his present wyf.

23rd Februarij, 1650, in presens of Alex^r Jaffray, provost, and George Cullen, baillie.

The said day, Gilbert Chalmer, burges of Aberdein, did instruct, werifie, and prove, be the depositiones of Mr. Thomas Gray, lait provost of Abirdein, George Morison, baillie, Mr. Johne Chalmer, advocat thair, and Gilbert Mollisone, burgessis of the said burght, that Gilbert Chalmer, secound lauchfull sone on lyff to the said Gilbert Chalmer, is borne in lauchfull matrimony off honorable parentis, both of father and mother syd, to wit, the said Gilbert Chalmer and Christane Con his spous, and that the said Gilbert Chalmer his father wes Alex^r Chalmer of Cultis, and Jean Lumsden his mother, quha wes dochter to Mr. Robert Lumsden of Clova, brother german to Robert Lumsden of Cushnie, procreat wpone Elizabeth Keith, dochter to Alex^r Keith of Pettie, brother german to William Earl Marshall, and that the said Gilbert Chalmer, younger, his grandschir wes Alex^r Chalmer of Cultis, and his grandhom Elizabeth Irving, dochter to Alex^r Irving of quha wes brother german to Alex^r Irving of Drum, his for grandschir Alex^r Chalmer of Cultis, his for grandhom Margaret Raitt, dochter to Raitt of Halgrein, and that the said Cristane Cone, mother of the said Gilbert Chalmer, younger, wes lauchfull dochter to Patrick Con of Auchry, and Margaret Cheyn, lauchfull dochter to Thomas Cheyne off Essilmont, and that his grandhame, on the mother syd, wes Margaret Gordoun, lauchfull dochter to James Gordoun of Haddo, descendit out of the houss of Huntlie, his grandschir wes William Con of Auchry and Barbara Leslie, lauchfull dochter to Johne Leslie of Balquhayne, descendit out of the houss of Rothes, his for grandschir Alex^r Con of Auchry, quhoiss father wes William Con, lauchfull sone to Donald of the Iles and Kyntir, cheif of the Mackdonald, his for grandhom Jeane Cheyn, dochter to James Cheyne off Straloch.

At Aberdene, the sevinteint day of Junij, 1652, in presens of Alexander Lumsden, baillie.

Compeirit Thomas Burnet of Camphell, and desyrit that the said

baillie wold tack cognitioun and tryall of the birth and pedigrie of James Burnet, his secund lauchfull sone, now merchant in Danseik; and that wpoun the probatioun led he micht haue ane bore breiff in ordinar forme vnder the toun's seall. Compeirit Johne Jaffray and Alexander Burnet, lait baillies of Aberdene; Alexander Burnet, younger, and Alexander Keith and William Gairdyne, burgessis of Aberdene; and be their great aithis declairit that they knew it to be of weritie that James Burnett wes secund lauchfull sone to the said Thomas Burnet of Camphell, procreat betuixt him and Margaret Keith his spous, and that the said Thomas Burnet wes eldest lauchfull sone to William Burnet of Camphell, procreat betuixt him and Elspet Leslie, dauchter to Johne Leslie of Balquhayne, and that the said Margaret Keith, mother to the said James Burnet, wes lauchfull dauchter to vmquhill Gilbert Keith of Blakhills, procreat betuixt him and Nicolas Hoome his spous. In respect quhairof, the baillie forsaid ordainit ane testificat to be extendit vnder the touns secret seall, in ordinar forme.

At Abirdein, tent day of July, 1652, in presens of William Patrie, baillie.

The said day, it wes sufficientlie werefied and provine be the witnessis wnderwrittin, viz., James Murray, Johne Thomsoun, James Watsoun, and Gilbert Thomsoune, burgessis of Abirdene, that Janet Innes, dauchter to vmquhill Mr. Jerome Innes, sometyme minister at Fyve, wes lauchfull sister to vmquhill Thomas Innes, sometyme resident in Poll, procreat betuixt the said vmquhill Mr. Jerome Innes, and vmquhill Margaret Seatoun their mother; and that the said vmquhill Thomas deceast in the moneth of February, 1650 yeers, in the kirk toune of New rayne. Wharwpoun the baillie ordanet ane testimoniall to be extendit in most ample forme.

At Abirdein, the tuentie-sext day of July, 1652, in presens of George Cullen and William Petrie, baillies.

The said day, it wes werified and provin be the depositiones of Sir Patrick Leslie of Quhythall, knicht, and Thomas Mortimer, lait baillie,

that Mr William Ord, now schireff-clerk of Pearth, wes onlie sone of wmquhill Mr. William Ord, merchand, burges of Abirdein, procreat betuixt the said wmquhill Mr. William Ord, quho wes sone to wmquhill Ord of Findauchtie, and Jean Barclay, lauchfull dochter to wmquhill Mr. George Barclay, sone to Barclay of Gartlie, and advocat in Abirdein; and that the said Mr. William Ord and Jean Barclay wer lauchfull maried persones togidder, and lived as honest christianes within the said brughe, and that the said Mr. William Ord, thair sone, wes borne and baptized within the said brughe. Quhairvpone the provost and baillies ordanit ane testificat to be drawin wp in ample forme.

At Aberdein, the threttie day of October, 1655, in presens of George Cullen, baillie,

The said day, it wes sufficiently wereffied and provine be the depositiones of Williame Gormack, Williame Murdo, George Murdo, and James Findlay, induellars at the kirk of Daviot, that Williame Gordoune, now resident in Vangroba, in the kingdome of Polland, who went out of Scotland about the space of aughteine yeirs since, or therby, is the eldest lauchfull sone of Johne Gordoun of Ardfork, procreat betuixt him and Marjorie Seattoune, lauchfull daughter to the deceast Johne Seattoune of Mouny, procreat betuixt him and Margaret Pantoun, daughter to the laird of Petmedden Pantoun, and that the said Johne Gordoun wes lauchfull sone to the deceast Alexander Gordoun at the brige of Done, procreat betuixt him and Janet Maitland his spous, and that the saids Johne Gordone and Marjorie Seattoune wes lauchfull maried persones, and that the said Williame Gordoun wes procreat betuixt them wnder the covert and band of matrimonie, and this they deponit to be of weritie, quhairvpone the provost and baillies ordanit ane ample testificat to be extendit heirone.

At Aberdein, the last day of November, 1655, in presens of George Cullen, bailly,

The said day, at the desyr and humill supplicatioune of James Gordoun in Shithine, within the parochin of Tarves, it wes werefied and provine be the depositiounes of Thomas Gordoun, shireff deput of Aberdein, Robert Johnstoun of Saphok, Adame Gordoun, burges of Abirdein, Johne Duncan, burges ther, that Williame Gordoun, now in Poltuskie, within the kingdome of Polland, who went from this about nynten yeirs agoe, being then about the aige of sewnteine yeirs, is the lauchfull sone of the said James Gordon, procreat betuixt him and Jeane Johnestoun, his spous, who wer lauchfull maried persones, and that the said James Gordoun is lauchfull sone to Johne Gordoun of Corridowne, in the parochine of Enyie, procreat betuixt him and Katherin Gordone, daughter to Johne Gordoun of Auchannachie; and that the said Jeane Johnstoun wes lauchfull daughter to Patrik Johnestoun of Mostoune, in the parochine of Logibuchane, procreat betuixt him and Margret Arbuthnot, daughter to James Arbuthnot of Carnegall. And this they deponit to be of weretie, be virtue of ther great aithis suorne. Quhairvpone the said baillie ordanit ane testificat to be extendit in ample forme.

Att Aberdein, the tuelff day of December, 1655, in presens of

The said day, it was sufficiently verified and provine be the depositiones of Mr. James Kennedy and Johne Broune, burgessis of Aberdein, that Patrik Gordoun, burges of Aberdein, wes sone to William Gordon, baillie of Bamff, procreat betuixt him and Elizabeth Chalmer, daughter to the deceased Patrik Chalmer, shirreff-clerk of Bamff, procreat betuixt him and Violet Johnston, daughter to Caskiben; and that the said Williame Gordone wes sone to Mr. Thomas Gordone of Slynie in Enzie; and that the said Williame Gordoun and Elizabeth Chalmer wer lauchfull maried persones, and the said Patrik Gordon procreat betuixt them vnder the covert and band of matrimony: and this they deponit to be of weretie be virtue of ther great aithes sworne. Quhairvpoun the provost and baillies ordanit ane testificat to be extendit.

At Aberdein, the last day of May, 1656, in presens of George Cullen, baillie.

The said day it wes werefied and provin be the depositionis of Williame Gordoun of Corvachrie, Williame Gordoun of Tilliangous, and Patrik Gordoun, at the Milne of Kincardine, that Hew and Johne Gordones, now for the present residents in Vangroba, who past from this natioun about tuentie yeirs sins or therby, ar the lauchfull sones of George Gordoun of Bray, in Scurdarg, within the parochine of Riny, in the shirrefdome of Aberdein, procreat betuixt him and Elspet Andersone, his spous; and that the said George Gordoun wes secund lauchfull sone to James Gordone of Tilliangouss, procreat betuixt him and Cristian Leith, his spous, who wes daughter to Patrik Leith of Liklichead, and that the saids persones wer lauchfull meried persones; and it wes werefied and provin be the depositiones of Patrik Gellie, at the Mill of Feriehill, and Johne Broune, burgessis of Aberdein, that the said Elspet Andersone, mother to the saids Johne and Hew Gordones, wes the lauchfull daughter of Alex[r] Andersone of Auchmoir, procreat betuixt him and Agnes Ord, lauchfull daughter to Johne Ord of that ilk; and this they deponit to be of weretie, be wertue of ther great aithes sworne. Wherevpoun the baillie ordanit ane testificat to be extendit in ample forme.

At Aberdein, the tuentie-fyft day of Januar, on thousand sex hundreth thriescoir ane yeirs, in presens of Master Robert Patrie, baillie.

The said day, it wes judicially verefied and proven, be the depositiones of Thomas Gordoun, shirreff-deput of Aberdein, and Master Georg Lesly, sometyme at Birsacksmilne, that Robert Lesly, sometyme generall agitant to the Imperiall Majestie his armie, who removit out of this countrie in the yeir of God 16 yeirs or therby, being of about the aige of yeirs, is the lauchfull sone of the deceast Mr. Androw Lesly, portioner of Logiedurno, in the parochin of Logiedurno and shirrefdome of Aberdein, procreat betuixt him and Issobell Stewart his spous; and that the said deceast Mr. Androw Lesly wes the lauchfull sone of John Lesly of

Boges, in the parochin of Fintray, procreat betuixt him and the deceast Helen Arbuthnet his spous, who wes lauchfull dauchter to the deceast James Arbuthnet of Potertoun, within the parochin of Forden and schirrefdome of Aberdein [Kincardine?]; and that the said Issobell Stewart wes the lauchfull dauchter of the deceast William Stewart of Cowstaines and Lamingtoun, procreat betuixt him and the deceast Margret Garden his spous, who wes of the familie of Gairden, Laird of Leyes, in the shirrefdome of Angous; and that the said John Lesly of Boges wes lauchfullie discendit and come of the honorabill familie of Balwhyne; and all the forsaidis persons, parents, and predicessors of the said Robert wer lauchfull maried persons, and livit honestly without any infamie or scandall: and this they deponit to be of weretie be wertew of ther great aiths sworne. Wherwpon the baillie ordanit ane testimoniall to be extendit in ample forme.

At Aberdein, the tuentie-tuo day of May, 1661 yeirs, in presens of Alex^{r} Alexander, baillie.

The said day, it wes sufficiently verefied and proven, be the depositions of Hew Gordoun of Ryny, James Drum, Thomas Cowy, and Hector Smith, burgessis of Aberdein, that James Barclay, who went from this brughe in the yeir of God 1635, being about the age of auchten yeirs, and now reportit to haue his residence in Memle in Spruis, and William Barclay, who went from this in the yeir 1643, being then about sevinten yeirs of aige, and who is reportit now to be in Dutchylle, in Spruis, ar the laufull sons, viz., the said James Barclay, the secund sone, and the said William the third sone of the deceast Mr. Alex^{r} Barclay, minister of Drumbled, procreat betuixt him and the deceast Bessie Duncan his spous; and that the said Mr. Alex^{r} Barclay wes the lawfull sone of the deceast Mr. Georg Barclay, advocat in Aberdein, procreat betuixt him and the deceast Marjorie Cheine, his spous; and that the said Bessie Duncan wes the lauchfull dauchter of the deceast John Duncan of Skurdarge; and that the forsaids persones wer all laufull maried persones, and the saids James and William Barclay's wer laufullie begotin vnder the covert and band of matrimony; and this they deponit to be of weretie, be wertew of

ther great aithes sworne. Whervpon the baillie ordanit ane ample testimoniall to be extendit vnder the toun's seall.

Att Aberdein, the sevint day of October, 1661, in presens of Mr. Robert Patrie, bailly.

Compeirit, Master John Forbes, regent of the colledg in Old Aberdein, John Forbes, elder, Georg Farquhar, John Forbes, younger, and Gilbert Skene, burgessis of Aberdein; and being solemnlie sworne, deponit and declarit, that Mr. Arthour Farquharsone in Midmill, in Awford, is the only sone and neirest and lauchfull air of the deceast Findlay Farquharsone, somtyme livtennent-collonell in ane Irish regiment, procreat betuixt him and the deceast Jeane Forbes, his spous; and this they deponit to be of weretie. Quhairvpon the bailly ordanit ane testificat to be extendit.

Att Aberdein, the aucht day of July, 1662, in presens of ane honorabill man, Mr. Robert Patrie, baillie.

The said day, compeirit Alexander Gordone, secund laufull sone of James Gordone of Tillielt, Alex[r] Gordon, brother to the said James Gordoune, and Levtennent Patrik Spence, and being solemnlie sworne, deponit and declarit, that Alexander Keith, who is now with, and vnder the government of Sir Alex[r] Keith of Ludquharn, his vncle being left be the deceast Major William Keith, his father, to him for the forsaide effect, is the onlie laufull sone of the said deceast Major William Keith, procreat betuixt him and Elizabeth Keith, his spous, lawfull dauchter to Sir William Keith of Ludquharn; and that the said deceast Major William Keith wes the onlie laufull sone of Robert Keith of Kindrucht, procreat betuixt him and the deceast Barbara Barclay, dauchter to the deceast Georg Barclay of Auchredie; and that the said Robert Keith wes the eldest laufull brother of Levtennent Colonell Georg Keith, who did serve vnder the Lord of as levtennent colonell in Ireland, and is now certanely informit to be departit this lyff in Muscovia some yeirs

agoe ; and that the said Alex^r Keith is the onlie air and representative of the said deceast Levtennent Colonell Georg Keith ; and that ther is no children or other successioun on lyff except the said Alex^r Keith, to represent the said levtennent colonell, or claime richt to any of his means, or fortoune, or estate ; and this they deponit to be of weretie, be wertue of ther great aiths sworne. Quhairwpon the baillie ordanit ane testificat to be extendit.

Att Aberdein, the tuentie-ane day of Apryll, 1663, in presens of the magistrats.

The said day, it wes judiciallie verefied and proven, be the depositionis of James Gordoun of Rothemay, Thomas Gordoun, shirref-deput of Aberdein, John Ker of Culquiche, Mr. John Gordoun, merchant, burges of Aberdein, that Patrik Gordoun of Glenbucket, Jeane Elspet, Helen Magdalen, and Anna Gordon's, laufull bairns to the deceast Sir Adam Gordoun of , knicht, procreat betuixt him and the deceast Dame Helene Tyrie, his spous, ar the laufull brothers and sisters german of the deceast Frances Gordone, laufull sone to the said deceast Sir Adam, procreat betuixt him and the said deceast Dame Helene Tyrie, his mother ; and that Andro Hay of Ranes is husband to the said Jeane Gordoun ; Dauid Tyrie of Cullithie, husband to the said Elspet ; John Innes of Couldraine, husband to the said Helene ; William Gordone in Cullithie, husband to the said Magdalene ; and Thomas Gordoun of Smithstoune, husband to the said Anne ; and that the said deceast Frances Gordoune went from this kingdome about tuentie yeirs agoe, being then about the aige of yeirs, and, as is reportit, had his residence, the tyme of his deceass, in , ane myll or therby, distant from , in Hungarie, or therabout.

Att Aberdein, the first day of Junij, 1663, in presens of John Scott, baillie.

The said day, it wes judiciallie verefied and provin, be the depositionis of Mr. James Hervy of Mamewlay, Robert Forbes in Miltoun of Bank,

Andro Cobane, burges of Aberdein, Andro Thomson and Thomas Howie in Mekle Warthill, that William Abererombie, who went from this countrey about fyftein yeirs agoe, being then of the aig of sextein yeirs, or therby, reportit now to be in , in the kingdome of Polland, is the secund lauchfull sone of Mr. Andro Abercrombie, sometyme minister at Fintray, in the shirrefdome of Aberdein, procreat betuixt him and the deceast Margret Forbes, his spous; and that the said Mr. Andro Abercrombie wes the lauchfull sone of the deceast Mr. Walter Abercrombie, sometyme minister at the kirk of Rayne, in the said shirrefdome, procreat betuixt him and the deceast Margret Leith, his spous, in the lauchfull band of matrimony, which Margret Leith wes the lauchfull dauchter of Leith of Liklyhood; and that the said Margaret Forbes, mother to the said William, wes the lauchfull dauchter of the said deceast James Forbes in Knokandach, in the shirrefdom of Aberdein, procreat betuixt him and the deceast Marie Balfour, his spous, in the lauchfull band of matrimony; and that the said James Forbes wes the lauchfull brother german of the Laird of Corss, sometyme Bishop of Aberdein; and this they deponit to be of weretie, be ther great aiths sworne. Wherwpoun the baillie interponit his auchtoritie, and ordanit ane testimoniall to be extendit in ample forme; and, further, deponit that the said deceast Mr. Walter Abercrombie wes the lauchfull sone of Alex[r] Abererombie, Laird of Birkinboge.

Att Aberdein, the aucht day of July, on thousand sex hundreth thrie scoir thrie yeirs, in presens of Charles Robertsone, baillie.

The said day, it wes judiciallie verefied and provin, be the depositions of Paull Collisone, Mr. Robert Patrie, lait baillies of Aberdein; Thomas Messer, lait Deane of Gild; Georg Morresone of Barra, and John Donaldsone, burgessis of Aberdein, that Robert Buchan of Portlathine is the eldest laufull sone on lyff of the deceast Robert Buchan of Portlethine, his father, procreat betuixt him and the deceast Marjorie Patrie, his spous, in the lauchfull band of matrimony; and this they deponit to be of weretie, be wertue of ther great aiths sworne. Wherwpoun the baillie ordanit ane testificat to be extendit in ample forme.

Att Aberdein, the day of , 1663, in presens of John Scott and John Duncan, baillies.

It wes judiciallie verefied and provin, be the depositiones of Paull Collisone, lait baillie of Aberdein, and Alexander Fraser of Memsie, John Fraser in Techmurie, that Alexander Fraser of Techmurie, in the parochin of Fraserbroch, in the shirrefdome of Aberdein, and Michaell Fraser who went from this countrey about tuentie-ane yeirs agoe, being then of the aige of auchten yeirs, or therby, and is now reportit to be laitlie departit this lyff in , ar the laufull sones of Alexander Fraser of Techmurie, procreat betuixt him and the deceast Janet Seatoun, dauchter to Seatoun of Shethine; and that the said Alexander Fraser of Techmurie wes the laufull sone of Mr. Mitchell Fraser of Techmurie, procreat betuixt him and the deceast Margret Hay, dauchter to the deceast Gilbert Hay of Percok; and that the said deceast Mr. Mitchell Fraser wes the laufull sone of the deceast Mr. William Fraser of Techmurie, procreat betuixt him and the deceast Keith, dauchter to the deceast Keith, Laird of Inverugie; and that the said Seatoun, mother to the saids Alex^r Fraser of Techmurie, and the deceast Michaell Fraser, his brother, wes the laufull dauchter of Seatoun of Shethine, procreat betuixt him and Cheine of Arnage; and that the saids Alex^r Fraser of Techmurie, and the deceast Michaell Fraser, ar laufull brother german; and that the said Michaell Fraser hes no brothers nor sisters on lyff but the said Alex^r Fraser of Techmurie; and this they deponit to be of weretie, be wertue of ther great aiths sworne. Wherwpoun the baillies ordanit ane testimoniall to be extendit.

Att Aberdein, the tuentie-sext day of March, 1664, in presens of Gilbert Morresone, bailly.

It wes judiciallie verefied and provin, be the depositions of Duncan Forbes of Camphell, Master John Forbes, professor of humanitie in the new colledg of Aberdein; Capitane Arthour Dalgardno, Alexander

Gordoun, William Couper, James Dalgardno, burgessis of Aberdein, and Georg Prat, toune serjand. that the deceast Alexander Forbes, who went from this kingdome about tuentie yeirs agoe, being then of the aige of sextein yeirs, or therby, and reportit laitly to be killit neir to , in the kingdome of Polland, being vpon his jurney about his traid of merchandice; and William Forbes, who went from this about thrie yeirs agoe, being then of the aige of fyftein yeirs, or therby, and now reportit to be in , in the said kingdom of Polland, ar the laufull sons of Alexander Forbes of Drumlasie, procreat betuixt him and the deceast Issobell Forbes, ther mother, vnder the covert and band of matrimony; and that the saids Alex^r Forbes, and the said deceast Issobell Forbes, wer laufull maried persons, and livit civilly and vnder ane good report; and the said deceast Alex^r and William Forbessis, laufullie procreat betuixt them, vnder the band of matrimony; and this they deponit, be wertue of ther great aithes sworne. Whervpoune the baillie ordanit ane testificat to be extendit.

Att Aberdein, the tuentie-aught day of Junij, 1664 yeirs, in presens of ane honorabill man, Robert Forbes, baillie.

It wes judiciallie verified and proven, be the depositiones off Mr. Johne Forbes, professor of humanitie in Aberdein; Mr. Alex^r Forbes, advocat ther; Johne Forbes, elder, burges ther; Captane Arthour Dalgardno in Aberdein; Georg Prat and Alex^r Smith, toune serjandis off Aberdein; and John Forbes of Killiquharne, and Capitane Arthour Forbes of Towy, and Gilbert Skeine, burges of Aberdein, that Patrick Forbes is the lauchfull sone off the deceast Alex^r Forbes of Drumlasie, procreat betuixt him and the deceist Issobell Forbes; and that the said Alex^r Forbes wes the lauchfull sone of William Forbes off Pittalachie, procreat betuixt him and the deceist Cathren Skeen, daughter to James Skeen of that ilk; and that the said Issobell Forbes wes the lauchfull daughter of the deceast Thomas Forbes off , procreat betuixt him and the deceist Margrat Burnet, lauchfull daughter to the deceist William Burnet of Skilliemarnock, of the familie of Leyes; and that the said deceist Alex^r Forbes is come out of the familie of Petsligo; and the said Thomas Forbes is come

out of the house of Tolquhone; and that all his saids parents wer procreat wnder the lauchfull covert of matrimonie; and that the said Patrick Forbes is brother germane to the deceist Alex[r] Forbes, who went from this kingdome about tuentie yeirs since, being about sextein yeirs of age, and now reported to be killed neir to , in the kingdome of Polland; and to William Forbes, who went from this about thrie yeirs agoe, being then of the age of fyftein yeirs, or therby, and now reported to be in , in the said kingdome; and this they deponit to be of veritie, be wertue of ther great aiths. Wherupon the baillie forsaid ordained ane testificat to be extended under the priuie seall.

Att Aberdein, the fourt day of Junij, 1668 yeirs, in presens of John Duncan, baillie of the said brughe.

It wes judicially verefied and prowin, be the depositions of Mr. William Moir, doctor of phisick, and John Gordon, burges of Aberdein, that William Gordon, somtym bailly in Old Aberdein, is the lauchfull brother german of the deceast John Gordon, capitan in the King of Sueden, his army, who is reportit to haue departit this lyf in the city of Crokoe, about four yeirs agoe; which tuo brethren ar the lauchfull sons of the deceast William Gordon of Cottoune, procreat betuixt him and the deceast Marion Gordon, his spous, who wes the lauchfull dauchter of Patrik Gordon of Gordonsmilne, and which William Gordon, ther father, wes the lauchfull brother german of the deceast Sir William Gordon of Clunie, knight; all quhich they deponit to be of verity, be wertue of ther great oaths sworne. Wherypoun the baillie ordanit ane testimoniall to be extendit in ample forme.

Att Aberdein, the aught day of Junij, 1669 yeirs, in presens of Walter Robertsone, ane of the baillies of the said brugh.

It wes judicially verefied and prowine, be the depositions of Duncan Forbes of Camphell, and John Forbes, elder, burgess of Aberdein, that

Patrik Forbes, quho is reportit to be in Creta, in the kingdome of Polland, and quho went from this about nyntein yeirs agoe, is the laufull sone of Robert Forbes in Mowny, procreat betuixt him and Margret Farquhar, his spous, in the laufull band of matrimony; and that the said Robert Forbes wes the laufull sone of John Forbes of Milnbuy, procreat betuixt him and Beatrix Skene, his spous, in the laufull band of matrimony; and that the said Margret Farquhar is the laufull dauchter of Alex^r Farquhar of Norham, procreat betuixt him and Elspet Forbes, laufull dauchter to John Forbes of Bithny; all which they deponit to be of trueth, be wertue of ther gret aiths sworne. Whervpoun the baillie ordanit ane testificat to be extendit.

Att Aberdein, the sextent day of Junij, 1669 yeirs, in presens of Gilbert Mollisone, ane of the baillies of the said brugh.

It wes judicially verefied and prowine, be the depositions of Duncan Forbes of Camphell, Mr. Alex^r Forbes, advocat, and Mr. William Aidy, that Robert Dugat, now reportit to be in , in the kingdome of Polland, and quho went from this about thretie yeirs agoe, is the eldest laufull sone of the deceast Robert Dugat, portioner of Ruthven, in the schirrefdome of Aberdein, procreat betuixt him and Marie Forbes, his spous, in the laufull band of matrimony; and that the said deceast Robert Dugat is the laufull sone of the deceast Robert Dugat of Auchinhove, procreat betuixt him and the deceast Marjorie Gordone, dauchter to the Laird of Aberzeldy, within the said shirrefdom; and that the said Marie Forbes is the laufull dauchter of the deceast Mr. Robert Forbes of Finersie, procreat betuixt him and vmquhill Elizabeth Arbuthnot, his spous, in the laufull band of matrimony; and that the said Elizabeth Arbuthnot is the laufull dauchter of vmquhill Alex^r Arbuthnot, burges of Edinbrugh, procreat betuixt him and vmquhill Learmont, his spous, in the band of matrimony; and that the said vmquhill Mr. Robert Forbes is the laufull sone of the deceast James Forbes of Tilliboy, procreat betuixt him and vmquhill Beatrix Skene, his spous, quho wes dauchter laufull to the Laird of Skene of that ilk; all quhich they deponit to be of trueth, be wertue of ther gret oaths suorne. Whervpon the baillie ordanit ane testificat to be extendit in ample forme.

Att Aberdein, the nynt day of July, 1669, in presens of ane honorabill man, Mr. Robert Patrie, provest of the said brughe.

Compeirit, James Gordon of Rothemay, and James Innes of Drumgask, and Walter Stuart in Blairtoun, and being solemnely suorne, deponit and made faith, that Walter Innes, who, about tuentie-sevin yeirs agoe, went from this, and is now reportit to be servant to the Queine Mother of Great Britaine, now resideing in Paris, in the kingdome of France, is the laufull sone of vmquhill Alexander Innes of Kininvy, in the shyre of Bamff, procreat betuixt him and vmquhill Cristiane Young, his spous, in the laufull band of matrimony; and that the said vmquhill Alex[r] Innes of Kininvy is the laufull sone of James Innes of Dreny, in the shirrefdome of Murray, procreat betuixt him and vmquhill Helene Ross, his spous, in the laufull band of matrimony; and that the said vmquhill James Innes of Dreny is the laufull sone of vmquhill Robert Innes of Dreny, procreat betuixt him and vmquhill Cathren Gordone, his spous, in the band of laufull matrimony; and that the said vmquhill Cristiane Young is the laufull dauchter of vmquhill William Young of Kinminity, procreat betuixt him and vmquhill Bessie Gordoun, his spous, in the band of laufull matrimony; and that the said vmquhill William Young is the laufull sone of vmquhill William Young of Kinminity, procreat betuixt him and vmquhill Cathren Pitindrech, his spous, in the band of laufull matrimony; and that the said Helen Ross is the dauchter of vmquhill Hew Ross, barron of Kilrauck; and that the said vmquhill Cathren Gordoun is the laufull dauchter of the Laird of Carnebnrrow, which Helene is procreat betuixt the said Hew Ross and Helene Falconer, dauchter to the Laird of Halcartoun; and that the said Bessie Gordoun is the lauchfull dauchter of Thomas Gordoun of Daach, procreat betuixt him and Elizabeth Duff, dauchter to Alex[r] Duff of Tilliesoull; all quhich they deponit to be of trueth. Quhairvpoun the provest ordanit ane testificat to be extendit in ample forme.

Att Aberdein, the tent day of March, 1670 yeirs, in presence of Gilbert Mollesone, ane of the baillies of the said burgh.

It wes judiciallie verefied and prowen, be the depositions of Alexander Burnet of Counteswalls, Mr. Alex[r] Skein of Newtyll, Robert Forbes of Robslaw, somtyme baillies of the said brugh; Andro Strachan, John Stevinsone, and Alexander Andersone, burgessis of the same, that Alexander Aidy, now in Dantzik, in the kingdome of Polland, who went from this burgh about thretie-thrie yeirs, or therby, is the laufull sone of vmquhill Dauid Aidy, burges of the said burgh, procreat betuixt him and the deceast Cathren Burnet, his spous, in the band of laufull matrimony; and that the said deceast Dauid Aidy is the laufull sone of vmquhill Andro Aidy, burges of the said burgh, procreat betuixt him and vmquhill Cristiane Guthrie, his spous, in the band of laufull matrimony; and that the said vmquhill Cathren Burnet is the laufull dauchter of Thomas Burnet of Brathniss, procreat betuixt him and vmquhill Elspet Irvine, in the band of laufull matrimony; and that the said Elspet Irvine is the dauchter of the Laird of Lenturk. Whervpoun the said baillie ordanit ane testificat to be extendit.

Att Aberdein, the tuentie-ane day of October, 1670 yeirs, in presens of Mr. Alexander Skein, and Alex[r] Alexander, tuo of the baillies of the said brugh.

It wes judiciallie verefied and prowin, be the depositions of John Currie, William Tailyor, William Melvill, and Lowrance Donaldsone in Fintray, that Alexander Chalmer, now merchant in Varso, in the kingdome of Polland, who went from this shyre about elevin yeirs agoe, being then of the aige of , as is reportit, is the laufull sone of William Chalmer in Standingstons, in the parochin of Dyce, procreat betuixt him and Marjorie Thomsone, his spous, in the laufull band of matrimony; and that the said William Chalmer is the laufull sone of the deceast Robert Chalmer in Fintray, procreat betuixt him and vmquhill Issobell Mill, his spous, in the band of laufull matrimony; and that the said Marjorie

Thomsone, spous to the said William Chalmer, and mother to the said Alex^r^, is the laufull dauchter of vmquhill Georg Thomsone, somtyme in Fintray, procreat betuixt him and the deceast Cristiane Tailyor, his spous, in the band of laufull matrimonie; all quhich they deponit to be of trueth. Quhairvpon the baillie ordanit ane testimoniall to be extendit.

Att Aberdein, the nynt day of December, 1670 yeirs, in presence of ane honorabill man, Gilbert Molleson, ane of the baillies of the same.

It wes judicially verefied and provine be the depositions of Alex^r^ Strachan of Glenkindie, John Meldrum of Hattoun, Major George Meldrum in Petule, and Archibald Meldrum, burges of Aberdein, that William Maitland, merchant in , in the kingdome of Polland, who went from this about sextein yeirs [agoe], is the lauchfull sone of William Maitland of Monletty, procreat betuixt him and Jeane Knoks, his spous, in the band of lauchfull matrimony, and that the said William Maitland, elder, wes the lauchful sone of vmquhill Mr. Robert Maitland in Monlety, procreat betuixt him and vmquhill Beatrix Meldrum, quho wes dauchter lauchfull to the Laird of Jakstoun, being Meldrum, and that the said Jeane Knoks is the lauchfull dauchter of William Knoks of Crechie brother german to the Laird of Knoks of that ilk, procreat betuixt him and Janet Keith, dauchter to Mr. John Keith, portioner of Duffus, quho wes lauchfull sone to John Keith of Northfield, brother german to the Earle Marshall.

Att Aberdein, the nyntent day of Januar, 1671, in presens of ane honorabill man, Mr. Alexander Skein, ane of the baillies of the same.

It wes judicially verefied and provin, be the depositions of Alex^r^ Alexander, Gilbert Mollesone, tuo of the baillies therof, Alex^r^ Burnet of Counteswalls, lait baillie, Captane William Cuthbert, George Barclay,

That Sir James Chalmer, knicht and barronet, now in Slesia, in Germany,

who went from this brugh about yeirs agoe, being then of the aige of yeirs, or therby, is the laufull sone of the deceast Gilbert Chalmer, burges of the said brugh, procreat betuixt him and the deceast Cristiane Con, his spous, in the band of laufull matrimony; and that the said deceast Gilbert Chalmer, his father, wes the laufull sone of the deceast Alex[r] Chalmer of Cults, procreat betuixt him and the deceast Jeane Lumsdane, his spous, in the band of laufull matrimony, all of honorable esteeme and reputatione. And, further, vpon the tuentie-thrid day of Februar, 1650, in presence of the then provest and baillies of the said brugh, it wes prowine by the depositions of the deceast Mr. Thomas Gray, then late provest of the said brugh; George Morresone, then baillie therof; Mr. John Chalmer, advocat ther, and certane other famous witnessis; that the said vmquhill Jeane Lumsdane, mother to the said vmquhill Gilbert Chalmer, wes dauchter to vmquhill Mr. Robert Lumsdane of Clova, brother german to Robert Lumsdane of Cushnie, procreat vpon Elizabeth Keith, dauchter to Alexander Keith of Pettie, brother german to ane noble and potent Earle, William, Earle Mershell, &c.; and that the said Gilbert Chalmer, his grandschir wes Alexander Chalmer of Cults, and his grandhame, Elizabeth Irvine, laufull dauchter to Alex[r] Irvine of , who wes brother german to the richt honorabill Alexander Irvine of Drum; and that the said Gilbert his for grandschir wes Alexander Chalmer also of Cults, and that his for grandhame wes Margret Rait, dauchter to the deceast Rait, Laird of Halgrein; and that the said Cristiane Con, mother to the said Sir James Chalmer, wes the laufull dauchter of Patrik Con of Auchry, procreat betuixt him and the deceast Margret Cheine, laufull dauchter to the deceast Thomas Chein of Eselemount; and that the said Gilbert, his gudame on the mother syd wes Margret Gordon, laufull [dauchter] to vmquhill James Gordoun, Laird of Haddo, who is descendit out of ane antient and noble familie, the familie of Huntlie, and that his grandschir wes vmquhill William Con of Auchry; and Barbra Lesly, who wes laufull dauchter to John Leslie, Laird of Balquhyne, who is descendit out of ane antient and noble familie, the familie of Rothes, and that his for grandschir wes Alex[r] Con of Auchry, quhos father wes William Con, laufull sone to Donald of the Iles and Kintyr, cheefe of the Macky Donald, and his for grandhame Jeane Chein, dauchter to James Cheine of Straloch and Essilmont. In respect quherof, and that the said Gilbert Chalmer, younger, in quhos

fauors the probation aboue mentionit wes deducit, wes brother german to the said Sir James, and both of the same parents; and that the saids persons exprest in the probation relating to the said Gilbert were depairtit this lyfe, except the said Gilbert Mollesone, quho wes ane therof. The said baillie ordanit ane ample testimoniall to be extendit in fauor of the said Sir James, laufull sone to the said vmquhill Gilbert Chalmer, and brother german to the said Gilbert Chalmer, younger, bearing the haill procedor of probation aforsaid, to be subscrivit be the comon clerk of the said brugh, and seallit with the comon seall therof, anent all quhich these presents to be warand.

Att Aberdein, the last day of May, 1671, in presens of Gilbert Mollesone, ane of the baillies of the said brugh.

It wes judiciallie verefied and prowen, be the depositions of Mr. William Sibbald, baillie of Kintor, William Dauidsone, Duncan Kellie, Androw Ray ther, that Robert Chalmer, merchant in Dantzick, in the kingdome of Polland, quho went from this countrey, as is informit, about tuentie-ane yeirs agoe, is the onlie laufull sone of vmquhill Gilbert Chalmers in Kintor, procreat betuixt him and vmquhill Elspet Reid, his spous, in the band of laufull matrimony; and that the said vmquhill Gilbert Chalmer wes the laufull sone of vmquhill Andro Chalmer, sometyme baillie of Kintor, procreat betuixt him and vmquhill Jealls Forbes, his spous, in the band of laufull matrimony; and that the said vmquhill Elspet Reid wes the laufull dauchter of vmquhill William Reid in Monymusk, in the shirrefdome of Aberdein, procreat betuixt him and vmquhill Margret Blinschell, his spous, in the band of laufull matrimony. All which they, togidder with Patrik Leslie, merchant, and John Blinschell, weaver, burgessis of the said brugh, deponit to be of weretie. In respect quherof the said baillie ordanit ane testimoniall to be extendit in ample form.

Att Aberdein, the sevinteint day of February, 1672 yeirs, in presence of ane honorable man, Patriek Moir, one of the baillies of the said brughe.

The said day, it wes judicially verified and provin be the depositiones of ane noble lord, Lord Hendrie Gordone, laufull brother to the deceast noble and potent Earle Lodovick, Marqueis of Huntlie, &c., somtyme collonell vnder his Majestie the King of Polland, and of Paul Menzeis, laufull sone to the deceast Sir Gilbert Menzeis of Petfoddells, and one of the majors of the Emperor of Russia his forces, that John Lodovick Menzeis is the eldest laufull sone and appeirand air of the deceast Lievtennant Collonell Thomas Menzeis of Balgounie, procreat betuixt him and Ladie Marie Farserson, (now spous to Sir William Reuter, his said Imperiall Majesties lievtennant collonell of horss,) in the band of laufull matrimonie; and that the said deceast Lievtennant Collonell Thomas Menzeis of Balgounie, in the moneth of July, anno 1651, wes married with the said Ladie at Riga in Leifland, and that she wes borne of noble and honorable parentage in the Dukdome of Curland; and that they lived togither in ane married conditione, in ane christian, peaceable, God and man pleasing lyfe, for about the space of nyne yeirs, and begatt three children, the eldest of whom wes Thomas Alexander Menzeis, who wes depairtit this lyfe without any successione of his owne bodie, and wes burried in the said citie of Riga, and that there wes onlie tuo other children procreat betuixt them yett in lyfe, whereof the said John Lodovick Menzeis wes the eldest, and appeirand air and successor to his said deceast father, and William Menzeis wes the vther of their said children yett on lyfe; and that the said deceast Lievtennant Collonell Thomas Menzeis, being, in anno 1660, in that chairge, vnder the command of his Imperiall Majestie of Russia, in fighting against the Polonianes beseid Szudna, wes deadlie woundit and takin prisoner be the said Lord Hendrie Gordone, collonell, vnder the command of his Majestie of Polland, and dyed of his woundes in Vkrain, and wes buried in the fields at Szudna. All which the saids Lord Hendrie Gordone and the said Major Paul Menzeis declairit and deponit to be of truth, be vertew of their great oathes sworne. Whervpon the said baillie ordanit ane testificat to be extendit in ample forme, vnder the subscriptione of the toune clerk of the said brughe, and

seallit with their secreit seall, according to the ordinarie forme observit in sick caices.

H. de Gordon.
P. Meneses.

Att Aberdein, the aucht day of March, 1672 yeirs, in presens of Patrick Moir, ane of the baillies of the said brugh.

Compeirit, James Watsone, Nathaniell Smith, and George Johnstoun, merchants, burgessis of the said brugh, and being solemnelie suorn, deponit and made faith, that William Seatoun, sometyme of Ranistoun, Mr. George Seatoun, his brother, Elizabeth and Marie Seatouns, ther sisters, ar the laufull children of the deceast Mr. William Seatoun, sometyme of Ranistoun, procreat betuixt him and Jeane Leith, his spous, in the band of laufull matrimony; and that they ar the laufull brothers and sisters german of the deceist John Seatoun, who went from this ower seas to the east countrey, about nyntein yeirs [agoe] and, as is informed, is latlie departit this lyfe in Lubleine, in the kingdome of Polland; and that the said deceast John Seatoun hath no other brothers or sisters on lyfe, and that the saids William, Mr. George, Elizabeth, and Marie Seatouns, his said brothers and sisters, ar his neirest representativs and laufull successors to his meins and estate, he haueing departit this lyfe without children or posteritie laufullie procreat of his owne bodie; all which they deponit to be of veritie, according to ther knowledge, be vertue of ther great oaths suorn. Lykas, the saids William, Elizabeth, and Marie Seatouns compeirit personallie, and judiciallie made, constitut, and ordanit the said Master George Seatoun, ther brother, ther verie laufull and vndoubtit actor, factor, plenipotenteari, in the mater vnder writin, for them and in ther names, and did give, grant, and comitt to him ther full, frie, plaine power, expres warrand, and comissione to mell and intromet with all and quhatsomeuer goods, moneys, gold, silver, aither coyned or vncoyned, debts, abuliments, vtinceills, domiceills, and other goods and gear quhatsomeuer, ather mouable or immovable, belonging or pertaineing to the said deceast John Seatoun, the tyme of his deceas, or that might legally fall or belong to the said William, Elizabeth, and Marie Seatouns;

and the said Master George Seatoun, ther said factor as his representativs, and brothers and sisters aforsaid, by right of successione, testament, or last will, or quhatsomeuer other legall maner of way call and persue therfor, and to vse all legall actione and persute for recoverie therof, befor quhatsomeuer judge or judges competent; and to crave and remitt oathes vpon receipt of the saids goods, and to give discharges thervpon; and to substitut procurators in his place as oft as neid beis; and to resigne, sell, and dispone the immoveable goods, if ther any be; and to transferr, vse, and prosecute all order of law anent any of the premissis, alss fullie and frilie in all respects as if brothers and sisters aboue namit, of the said defunct, wer themselues personallie present, firme and stable promissing for to hold, what ther said actor, factor, sall laufullie act and doe in the premissis, without any revocatione or againe calling ther said factor, always macking just compt and reckoneing and payment to them of his intromissione theranent, his owne just proportione, and laufull charges and expenssis, being allowit and deducit to him. Whervpon the said baillie ordanit ane testificat to be extendit in ordinarie forme.

Att Aberdein, the fyft day of Junij, 1672, in presens of the baillie forsaid, [John Scott.]

The said day, it wes judiciallie verefied and prowen by the depositions of

that John Keith, who is now reportit to be in the toun of Dantzick, in the kingdome of Polland, and who went from this about fourtein yeirs agoe, being then about the aige of yeirs, is the lauchfull sone of the deceist Alexander Keith of Cameulter, within the parochin of Rathen, and shirrefdome of Aberdein, procreat betuixt him and Margaret Fraser, his spous, in the band of lauchfull matrimony; and that the said deceist Alex[r] Keith, father to the said John Keith, wes the lauchfull sone of William Keith of Cameulter, procreat betuixt him and Jealls Fraser, lauchfull daughter to John Fraser of Ardglassie, in the lauchfull band of matrimony, which Alex[r] Keith wes descendit of the noble familie of Keiths, who for many aiges had bein

Earles Marishells of the kingdome of Scotland, and quhich John Fraser of Ardglassie wes ane lauchfull sone of the ancient and honorabill familie of Frasers, Barrons of Philorth, and now Lord Saltoune; and that the said Margaret Fraser, mother to the said John Keith, wes the lauchfull daughter of John Fraser of Memsie, procreat betuixt him and Catheran Bisset, his spous, in the band of lauchfull matrimony.

Marischall.
Tho. Keithe.

Att Aberdein, the fourt day of September, 1674, in presence of the provest and baillies of the said brughe.

The said day, it wes judiciallie verified and provin, be the depositions of Arthur Adam in Cloak, in the parochin of Lumphanan, in the shirreffdome of Aberdein; Alex^r^ Farquhar in Burwall, in the parochin of Alfoord, in the said shirreffdome; and Alex^r^ Mar in Hilhead of Kincairdyne, in the shirreffdome of Kincairdyne, witnessis solemnlie suorne and previous sumondit, for the effect vnderwritine, that the deceist Captane William Rosse of Rosyll, resident at Londone, in the kingdome of Ingland, wes the onlie lauchfull sone and child of the deceist William Rosse, somtyme in Bogloch, in the said parochin of Lumphanan, and shirrefdom aforsaid, who lived therefter in Glenbervie, in the parochin therof, and shirrefdome of Kincairdyne, procreat betuixt him and Ramsay, his spous, in the lauchfull band of matrimonie; and that the said William Rosse, father to the said Captane William Rosse, wes the onlie lauchfull sone and child of William Rosse in Bogloch, procreat betuixt him and Margaret Rosse, his spous, in the band of lauchfull matrimonie; and that Hew Rosse of Cloak, John Rosse in Strathmoir, George Rosse in Cutleburne, Patrick Rosse in Cloak, Alex^r^ Rosse in Lochmanss, Patrick Rosse in Titabutie, Cristaine Rosse ther, and Elspet Rosse in Wester Kincairdyne, ar thrids of kin, and onlie neirest in kin to the said deceist Captane William Rosse; all which they deponeit to be of veritie, be vertue of ther great oathes suorne, and that the ground and caus of ther knowledge wes, that they lived in the cuntrie neir wher the forsaids persons did live, and that they did certainlie know

the said deceist Captane William Rosse and his said father and mother, and the haill other persons before mentionat, related to him as is above exprest. In respect whereof, the saids provest and baillies, wpon the petitione and supplicatione given in to them be Francis Rosse of Auchlossine, as assigney; and, having right from the saids Hew Rosse of Cloak, John Rosse in Strathmoir, George Rosse in Cutleburne, Patrick Rosse in Cloack, Alex[r] Rosse in Lochmanss, Patrick Rosse in Titabutie, Cristane Rosse ther, and Elspet Rosse in Wester Kincairdyne, conforme to the dispositione and assignatione grantit be them to him theranent, daitit the tuentie-thrid and days of Junij last bypast, shown and produceit to the saids provest and baillies of and wpon all moveable goods, geir, insicht, plenishing, merchant waires, dueties of lands and tenements, corns, cattill, and others therin conteinit, ordainit ane testimoniall bearing the truth of the haill premissis to be extendit in ample forme, subscrivit be the clerk of the said brughe, and seallit with the privie seall of the same, and delyverit to the said Francis Rosse of Auchlossine, as assigney, and having right in maner forsaid for the effect above exprest.

Att Aberdene, the aught day of October, 1674, in presence of ane honorabill man, Mr. Robert Patrie, provest of the said brughe.

The said day, it wes judiciallie verified and provin, by the depositions of

, that John Boys, who is reportit to be at present in Amsterdam, in Holland, haveing gone from this thither about yeirs agoe, being now about the age of tuentie-thrie yeirs, is the lauchfull sone of Thomas Boyes of , late thesaurer of the said brughe, and ane of the present councellours of the same, procreat betuixt him and the deceist Elspet Birnie, his spous, in the band of lauchfull matrimonie; and that the said Thomas Boyes is the lauchfull sone of wmquhille Alex[r] Boys, merchant in the said brughe of Aberdein, procreat betuixt him and the deceist Barbara Carnegie, his spous, in the band of lauchfull matrimonie; and that the said Barbara Carnegie is lauchfullie descendit out of the antient familie of the Carnegies of Kin-

naird, now Earles of Southesk; and that the said deceist Elizabeth Birnie, mother to the said John Boys, is the lauchfull dauchter of the deceist Alex^r Birnie in Tillilet, in the parochin of Tarves and shirrefdome of Abirdein, procreat betuixt him and the deceist Jeane Seatoune, his spous, in the lauchfull band of matrimonie; and that the said Jeane Seatoune is daughter to William Seatoune of Meldrum; all which they deponit to be of veritie, be vertue of ther great oathes suorne. Whervpon the said provest ordainit ane testificat, subscrivit be the clerk, and seallit with the privie seall of the said brughe, to be extendit in ample forme; and, further, deponit that the said William Seatoun of Meldrum is lauchfullie descendit out of the houss of Seatoun Gordon of Huntlie.

Att Aberdein, the tuentie-ane day of March, 1676 yeirs, in presence of Alexander Gordone, ane of the baillies of the said brughe.

It wes judiciallie verified and provin, be the depositions of John Gordon, baillie of Bamff; George Cruckshank, late baillie of Aberdein; and Robert Cruckshank, late thesaurer of the same, that Archibald Rait, now in Lisnae, in the kingdome of Polland, who went from this about tuentie-sex yeirs agoe, is the lawfull sone of Archibald Rait of Lentushe, in the parochin of Old Rayne, and shirreffdome of Aberdein, procreat betuixt him and Elizabeth Abercrombie, his spous, in the band of lawfull matrimonie; and that the said Archibald Rait of Lentush is the lawfull sone of William Rait of Lentush, procreat betuixt him and Jeane Cruckshank, his spous, in the lawfull band of matrimonie, which Jeane Cruckshank is the lawfull dauchter of Robert Cruckshank of Glenmeline; and that the said Robert Cruckshank is laufullie descendit of the familie of the Cruckshanks of Tillimorgane; and that the said Elizabeth Abercrombie is the lawfull dauchter of Mr. Walter Abercrombie, lawfull sone to the Laird of Birkinboge, procreat betuixt him and Margaret Leith, his spous, which Margaret Leith wes the lawfull dauchter of the Laird of Licklieheid; and that the said Archbald Rait is lawfullie descendit of the familie of the Rates, of the familie of Halgrein, and that all the forsaid persons were lawfull maried persons, and of good fame and reputatione; and, in testimonie of the veritie of the premissis, the forsaids persons have subscrivit

thir presents with ther hands. Whervpon the said baillie ordainit ane testificat to be extendit in ample forme.

Att Aberdein, the tuentie-fyft day of May, jaj vi hundreth thriescor sextein yeirs, in presence of ane of the baillies of the said brughe.

The said day, it wes judiciallie verefied and provin, by the depositiones of

that Jeane Forbes, relict of the deceist James Forbes of Bankhead, is the lauchfull daughter of James Forbes of Blacktoun, procreat betuixt him and Magdalen Fraser, his spous, in the band of lauchfull matrimonie; and that the said James Forbes of Blacktoune wes the eldest lauchfull sone and air of the deceist Abraham Forbes of Blacktoun, his father, procreat betuixt him and Janet Chartors, his spous, in the band of lauchfull matrimonie, who wes daughter to James Chartors of Meldrum, procreat betuixt him and Janet Lumsden, lauchfull daughter to John Lumsden of Cushnie; and that the said Abraham Forbes of Blacktoune wes the lauchfull sone of William, Lord Forbes, cheife of the famelie, procreat betuixt him and Dam Elizabeth Keith, ; and the said Magdalen Fraser, mother to the said Jeane Forbes, is the lauchfull daughter of Sir Alex^r Fraser of Philorth, procreat betuixt him and dam Margaret Abernethie, his spous, lauchfull daughter to Alex^r, Lord Abernethie of Saltoune, procreat betuixt him and dam Margaret Stewart, his spous, lauchfull daughter to the Earle of Atholl; and that the said Sir Alexander Fraser wes the lauchfull sone of Sir Alex^r Fraser [of] Philorth, procreat betuixt him and dam Magdalen Ogilvie, lauchfull daughter to the Laird of Bamff, cheife of the famelie. All quhich they deponit to be of weretie, be wertue of ther great oathes suorne. Whervpon the said baillie ordanit ane testificat to be extended in ample forme, subscrivit be the clerke of the said brughe, and sealled with the secret seall of the same.

Att Aberdein, the last day of May, 1677, in presens of George Skein of Fintray, provest, Gilbert Mollesone and Alexander Burnet, baillies of the said brugh.

It wes judiciallie verefied and prowin, be the depositions of John Scot, late baillie, Mr. Thomas Lumsden, Gilbert Hervy, and John Stivinson, burgessis of the said brugh, that George Buchan, now in Lublin, in the kingdome of Polland, quho, as is informit, went from this about thritie yeirs agoe, is the onlie laufull sone on lyfe of the deceist Robert Buchan of Portlathin, procreat betuixt him and the deceast Marjorie Patrie, his spous, in the laufull band of matrimony; and that the said Robert Buchan is the laufull sone of the deceist Mr. Gilbert Buchan of Dorbshill, procreat betuixt him and the deceist Marjorie Leslie, his spous, in the band of laufull matrimony; and that the said Mr. Gilbert Buchan is laufull sone to Alex^r Buchan of Auchmakoy, and Jannet Dumbreck, and the said Marjorie Leslie [is] of the familie of Balqubyn; and that the said Marjorie Patrie, mother to the said George Buchan, is the laufull dauchter of the deceist Hendrie Patrie, burges of Aberdein, procreat betuixt him and the deceist Cristiane Innes, his spous, in the band of laufull matrimony; quhich Cristiane is the laufull dauchter of Sebastian Innes of Ardtannes, procreat betuixt him and his spous, in the band of laufull matrimony; and that the said deceist Hendrie Patrie is the laufull sone of the deceist John Patrie of Ardlethin, procreat betuixt him and the deceist Marjorie Chalmer, his spous, in the band of laufull matrimony. Whervpon the said provest and baillies ordanit ane testimoniall to be extendit in ample forme.

Att Aberdein, the last day of Januarij, 1685 yeares, in presence of Andrew Mitchell, ane of the baillies of the said brugh.

It wes judiciallie verifyed and proven, by the depositiones of Alex^r Burnet, late Dean of Gild, John Innes, and George Gordone, and Gilbert Strachan, burgessis of the said brugh, that William Innes, who is reported to be merchant in Wratslaffsco, in the kingdome of Polland, and

who went from this about 17 years agoe, being then of the age of 18 yeares, is the second lauchfull sone of John Innes of Knockorth, shirreffdome of Bamff, procreat betuixt him and the deceist Elizabeth Bodie, his spous, in the band of lauchfull matrimonie; and that the said John Innes is the lauchfull sone of Beroauld Innes of Knockorth, procreat betuixt him and the deceist Jonet Andersone, his spous, in the band of lauchfull matrimonie; and that the said Elisabeth Bodie, mother to the said William Innes, wes the lauchfull dauchter of the deceist Thomas Bodie of Pitfower, within the parochin of Old Deer, and shirreffdome of Aberdein, procreat betuixt him and the deceist Margrat Robertsone, his spous, in the band of lauchfull matrimonie; all quhich they deponit to be of verity, by vertue of ther great oathes suorne. Whervpon the said baillie ordained ane testificat to be extendit in ample forme.

Att Aberdene, the sextenth day of March, 1687, in presence of Alex[r] Gordon, ane of the baillies of the said brughe.

The said day, it wes judiciallie verified and proven, be the depositions of William Gordon, ane of the lait baillies of Old Aberdene, Patrick Leslie and John Farquhar, merchants in Aberden, and John Steiven, merchant in Old Aberdene, that William Farquhar, merchant in Lishna, in the kingdome of Polland, who went from this about fourtie-eght yeirs agoe, being then about the age of tuelve yeirs, and that Robert Farquhar, brother to the said William, now merchant in Lublein, in the said kingdome of Polland, who went from this about threttie-seven yeirs [agoe] being then about the age of fytten yeirs, ar the eldest and second lawfull sons of the deceist Archbald Farquhar of Dillabe, in the parochin of Monvmusk, and shirrifdom of Aberdene, procreat betuixt him and Margaret Ritchie, his spous, in the lawfull bond of matrimonie; and that the said deceast Archbald Farquhar, ther father, is the lawfull sone of the deceist William Farquhar of Dillabe, in the said parochin and shirrefdome, in Scotland, procreat betuixt him and the deceist Jean Mercer, his spous, in the lawfull band of matrimonie; and that the said Margaret Ritchie is the lawfull daughter of James Ritchie in Todlichie, in the said parochin and shirriffdome, procreat betuixt him and the deceist Jannet

Gray, his spous, in the bond of lawfull matrimonie; and that the said deceist Archbald and William Farquhars ar descendit of the ancient famillie of Tilligarmont, who is descendit of the honorabill famillie of the Malcomtoshes, in the said kingdome of Scotland; and that the said James and Jannet Ritchies ar descendit of the honorabill famillie of the Robertsons of Struen, in the said kingdom of Scotland; and that the said Jannet Gray is descendit of the noble famillie of the Lord Gray, in the said kingdome; and that the said Jean Mercer is descendit of the ancient famillie of the Mercers of Adie; all which they deponed to be of verity, be vertue of ther great oath suorne. Whervpon the said baillie ordained ane testimoniall to be extendit in ample and due forme.

Att Aberdene, the fourth day of May, 1688, in presence of George Aedie, ane of the baillies of the said brugh.

It is judiciallie verified and proven, be the depositions of Sir George Skein of Fintrey, lait provest of the said brugh; Dr. Patrick Sibbald, professor of divinitie; Gilbert Mollesone, and Gilbert Black, lait baillies of the said brugh, that John Innes, merchant in Posna, in the kingdome of Polland, who went from this about yeirs agoe, being then of the age of yeirs, is the lawfull sone of the deceast William Innes, baillie of the Nigbrugh, in the parochin of Foverane, and shirriffdome of Aberdene, procreat betuixt him and Helen Udny, his spous; and that the said William Innes wes the lawfull sone of the deceast Andrew Innes, also baillie in the said Nighbrugh, procreat betuixt him and Christian Black, his lawfull spous; and that the saids William and Andrew Innesses ar lawfullie descendit of the famillie of the Innesses of Balvenie; and that the said Helen Udnie, mother to the said John Innes, is the lawfull daughter of the deceast John Udnie in Belhelvie, within the parochine therof, and shirriffdome aforsaid, lawfullie descendit of the famillie of Udnie of that ilk, procreat betwixt him and Margaret Scott, his spous, lawfullie descendit of the famillie of Scott of Balveirie, in the shirriffdome of Fyfe, and that they wer all lawfull married persons; all which they deponed to be of veritie, be vertue of ther great oath suorne. Whervpon the said baillie ordained ane testificat to be extendit in ample forme, vnder the privie seall of the said brugh.

Att Aberdein, the 24th July, 95 yeirs, in presens of John Allardes, ane of the baillies of the said brugh.

The said day, it wes judicially verified and proven, be the depositions of Alex^r Skein of Dyce; Gilbert Black, lait baillie; John Moir, lait baillie; Mr. James Moir of Ferriehill, that Gilbert Moir, son to the deceast Dr. William Moir of Scotstoun, now in the kingdom of Polland, who went from this about eighten yeirs agoe or therby, being then about the age of yeirs or therby, is the second lawfull son of the said deceast Dr. William Moir of Scotstoun, procreat betwixt him and Margaret Skein, his spouss, in the lawfull bond of matrimonie; and that the said deceast Dr. William Moir wes eldest lawfull son to the deceast Mr. William Moir of Scotstoun, principall and professor of mathematicks in the colledge Marischall of Aberdein, procreat betwixt him and Jean Gordon, his lawfull spouss, daughter to the deceast Gilbert Gordon of Gordonsmill, of the famillie of Clunie; and that the said deceast Mr. William Moir wes lawfull son to the deceast Mr. William Moir of Scotstoun, procreat betwixt him and Jannet Rae, his lawfull spouss; and that the said Margaret Skein, the said Gilbert's mother, is lawfull daughter of the deceast Gilbert Skein of Dyce, lying in the parochin of Dyce, and shirriffdom of Aberdein, procreat betwixt him and Marjorie Buchan, daughter to the deceast William Buchan of Auchmacoy, his lawfull spouss; and that the said Gilbert Skein of Dyce wes lawfull son to the deceast Alex^r Skein of that ilk, procreat betwixt him and Elizabeth Mercer, lawfull daughter to the deceased Laurence Mercer of Clavage, of the famillie of Ædie, in the parochin of , and shirriffdom of Fyfe, his spouse. All which they deponed to be of veritie, be vertue of ther great oath suorne. Whervpon the said baillie ordained ane testimoniall to be extendit in ample and due forme.

Att Aberdein, the twelveth day of March, jaj vi hundreth nyntie-seven yeirs, in presence of Alex^r Ragg, Mr. John Johnston, and John Ross, baillies of the said burgh.

Compeared Mr. William Smith, regent in the colledge Marishall

of Aberdein, and craved the witnessis after named might be examined anent the parentage of George Smith, son to Patrick Smith of Ardoyne; and, accordingly, it wes judicially verified, be the depositions of John Smith of Inverramsay; John Allardes, merchant in Aberdein; Mr. William Black, regent in the King's colledge of Aberdein; Mr. Patrick Leith of Craghall, and George Gordon in Milden, that the said George Smith, who went abroad in Junij, 1687, to Dantzick, and now lives in Colum of Prusia, wes lauchfull sone to the deceast Patrick Smith of Ardoyne, procreat betwixt him and Margrat Glass, his spous; and that the said Patrick Smith wes son to James Smith of Rothibirssben, procreat betwixt him and Margrat Lamb, his spouse; and that the said Margrat Lamb wes lauchfull daughter to Alex^{r} Lamb of Rothie; and that the said Margrat Glass wes lauchfull daughter to Robert Glass of Auchmenzie, procreat betwixt him and Margrat Jamesone, his spouse; and that the said Robert Glass wes sone to George Glass of Westhills, procreat betwixt him and Agnes Sanderson, his spouse; and that the said Agnes Sandersone wes lauchfull daughter to Alex^{r} Sandersone of Pronie. All which the foirnamed witnessis deponed to be of truth. Wherupon the baillies forsaids ordained ane formall birth breif or testificat to be extended theron in ample forme.

Att Aberdein, the seventh day of Aprill, jaj vj hundreth nyntie seven yeirs, in presence of Robert Cruickshank of Banchorie, provost of the said burgh, and Alex^{r} Ragg, ane of the baillies of the same.

Compeared Alex^{r} Gordon, merchant in Aberdein, son to the deceast Francis Gordon of Craig, and craved the witnessis after named might be examined anent the parentage of Charles Gordone, lauchfull sone to the deceast Alex^{r} Gordon, merchant in Aberdein; and, accordingly, it wes judicially verified, be the depositions of Adam Gordone of Inverebrie; John Gordon, late baillie of Aberdein; Patrick Gordon of Harlaw; William Gordon, merchant in Aberdein; Doctor Patrick Chalmer of Lentusch; William Bisset and William Leslie, merchants in Aberdein, that the said Charles Gordone, who went abroad from this place in Aprill, 1680, to Dantzick, and is now merchant in Warsaw in Polland, wes

lauchfull sone to the said vmquhill Alex^r Gordone, procreat betwixt him and Jean Chalmer, his spouse; and that the said Alex^r Gordone wes lauchfull sone to John Gordon of Tilliangus, procreat betwixt him and Jannet Forbes, his spouse; and that the said John Gordon of Tilliangus wes lauchfull sone to William Gordon of Tilleangus, procreat betwixt him and Mary Gordon, his spouse; and that the said Mary Gordon wes lauchfull daughter to Alex^r Gordon of Aradule; and that the said Jannet Forbes wes lauchfull daughter to Robert Forbes of Inver; and that the said Jean Chalmer wes lauchfull daughter to Gilbert Chalmer of Balbithan, procreat betwixt him and Elisabeth Reid, his spouse; and the said Gilbert Chalmer wes lauchfull sone to Andrew Chalmer of Balbithan, procreat betwixt him and Jealls Forbes, his spouse; and that the said Elisabeth Reid wes lauchfull daughter to Robert Reid of Inver; and that the said Jealls Forbes wes lauchfull daughter to William Forbes of Aslown. All which the forenamed witnessis deponed to be of verity. Wherupon the magistratts forsaids ordained ane formall birth breif or testificat to be extended theron in ample forme.

Att Aberdein, the eighteenth day of March, 1698, in presence of Alexander Walker, provost of Aberdein, John Allardes, and Alex^r Forbes, two of the baillies of the said burgh.

Compeared, Gilbert Black, late baillie of the said burgh, and craved the witnessis afternamed might be examined anent the parantage of Alexander Black, third lauchfull sone to the said Gilbert Black, procreat betwixt him and the deceast Issobell Duncan, his first spouse, and, accordingly, it wes judicially verified be the depositions of Alexander Skeen of that ilk; Sir George Skeen of Fintray, late provost of Aberdein; Alex^r Skeen of Dyce, John Johnstone of Newplace, William Forbes of Tulloch, James Rolland, elder of Disblair; James Mercer, merchant in Aberdein; John Leslie, merchant ther; Mr. John Findlater, master of the grammar schooll of Aberdein, and Andrew Donaldsone, appothecary ther, that the said Alexander Black, who went abroad from this place in the moneth of , 168 yeirs to Dantzick, and is now merchant in Posna, in the kingdom of Polland, is lauchfull sone to the said Gilbert Black, procreat

betwixt him and the said deceast Issobell Duncan, his first spouse; and that the said Gilbert Black is lauchfull sone to the deceast William Black, merchant in Aberdein, procreat betwixt him and Margrat Skeen, his spouse; and that the said William Black wes lauchfull sone to the deceast Gilbert Black, merchant in Aberdein, procreat betwixt him and Issobell Johnstone, his spouse; and that the said Margrat Skeen wes lauchfull danchter to the deceast Mr. Patrik Skeen, son to the deceast Alex^{r} Skeen of that ilk, procreat betwixt him and Elspet Mercer, his spouse; and that the said Issobell Duncan wes lauchfull dauchter to the deceast John Duncan, late baillie of Aberdein, procreat betwixt him and vmquhill Issobell Donaldsone, his spouse; and that the said John Duncan wes lauchfull son to the deceast Patrik Duncan of Scotstoun, procreat betwixt him and Anna Leith, his spouse; and that the said Issobell Donaldsone wes lauchfull dauchter to the deceast James Donaldsone, merchant in Aberdein, procreat betwixt him and Issobell Forbes, his spouse. Which haill premissis, the foire named witnessis being all persons of intire fame and reputatione, deponed to be of truth and verity; and wherupon the saids provost and baillies ordained ane birth breiv and testificat to be extended in ample forme.

Att Aberdeen, the twenty daye of February, one thousand seven hundereth and three years, in presence of John Gordon, on of the baillies of Aberdeen, compeared, Patrick Gordon of Harlaw.

The said day, Adam Gordon of Inverebrie William Gordon of Kirkhill, John Gordon, and John Forbes, burgessis of the said burgh, compeared judicially, and deponed and declared that Alex^{r} Gordon, merchant in Presneits, in Polland, and James Gordon, his brother, merchant in Culma, in Spruse, viz., Alex^{r}, who went from this to Dantzick in the moneth of May, 1688, and the said James, in anno 1692, are lawfull sones to Patrick Gordon of Harlaw, procreat betwixt him and Rachell Lesly, his spous; and that the said Patrick Gordon is lawfull son to the deceast Alex^{r} Gordon of Kincraigy, procreat betwixt him and umquhill Marjorie Gordon, his spous; and that the said deceast Alex^{r} Gordon wes lawfull son to the deceast Patrick Gordon of Craig (descended of the

Earle of Sutherland) procreat betwixt him and Elizabeth Gordon, his spous, daughter of the deceast William Gordon of Braichly; and that the said Marjorie Gordon wes lawfull daughter to the deceast William Gordon of Terpersie, (descended of the Duke of Gordon) procreat betwixt him and umquhill Margaret Gordon, his spous, daughter to Alex^r Gordon of Achanachy; and that the said Rachell Lesly is lawfull daughter of the deceast William Lesly, merchant in Aberdeen, procreat betwixt him and Isobell Burnet, his spous; and that the said William Lesly wes lawfull son of the deceast William Lesly, son to Alex^r Lesly of Balquhyne, procreat betwixt him and Jean Mortimer, his spous, daughter to Rodger Mortimer of Craigievar; and that the said Isobell Burnet is lawfull laughter to the deceast Thomas Burnet of Camphell, (descended of the family of Leyes) procreat betwixt him and Margaret Keith, his spous, (descended of the Earle Marischall).

Att Aberdein, 16th February, 1705, in presence of Alexander Patton of Kinaldie, provost of Aberdeen, and Robert Cumming, one of the baillies of the said burgh.

The said day, compeared Doctor George Midleton, principall of the king's colledge of Aberdeen, and James Gordon of Seaton, and, being solemnly sworne, deponed that Mr. Patrick Gordon, rector of Aberley, in the countey of Worchester, in England, is the immediat younger brother german of Mr. John Gordon, late minister of Willmingtown parish, in James-city county in Virginia, deceassed; and that Mr. Alex^r Gordon professor of humanity in the King's colledge of Aberdeen, Mr. George Gordon, professor of the orientall languages in the said colledge, Mary Gordon ther sister, and Helen Gordon also ther sister, spous to William Baxter baillie in Old Aberdein, are brothers and sisters german to the said deceast Mr. John Gordon, and only neirest of kinn to him, ther being no other brothers or sisters alyve but these fyve above named, and this is the truth, as they shall answer to God. Mr. John Gordon, civilist in the said king's colledge, deponed ut supra.

Att Aberdeen, the nynteinth day of March, 1705, in presence of baillie Stewart.

The said day, Andrew Fraser of Kinmundy, shirref-deput of Aberdeen; Mr. Robert Paterson, commissar therof; James Rolland, elder of Disblair; and George Burnet, apothecary in Aberdeen, declared that they knew Alexr Clerk, merchant in Crackow in Polland, who went from Aberdeen in Scotland to Dantzick, about twelue years agoe; and that he wes second lawfull son to Mr. George Clerke, minister of Burntisland, procreat betwixt him and Issobell Fraser, his spous; which Mr. George Clerk wes sone to George Clerk of Crawley, in the pariochne of Slaynes, procreat betwixt him and Anna Hay, his spous, who wes lawfull daughter to Mr. Patrick Hay of Burnthill; and that the said Isobell Fraser wes lawfull daughter to John Fraser of Kinmundy, in the pariochne of Longsyde, procreat betwixt him and Margaret Fraser, his spous, lawfull daughter to Adam Fraser of Finzianch. All which premissis the fore named persones deponed to be of truth.

13th Aprill, 1705, in presens of Baillie Cumming.

The said day, compeared Sir John Johnston of Caskiebain; George Keith of Clackriach; John Smith of Inverramsay; Mr. William Black. regent in the Kings colledge of Aberdeen; Mr. William Smith, regent in the Marishall colledge; and Walter Gordon, merchant in Aberdeen, and declared that Walter Forbes, merchant in Columne in Prussia, in the kingdome of Poland, went from Aberdeen, in the year of God 1696 years, to Dantzick; and that the said Walter Forbes is lawfull son to the deceast James Forbes in Round Lichnet, in the shyre of Aberdeen, procreat betwixt him and Margaret Black, his spous; which James Forbes wes son to the deceast Mr. William Forbes in Balcairn, procreat betwixt him and Christian Gray, his spous, of the family of Shives; and which Margaret Black wes daughter to Ninian Black in Bourty, procreat betwixt him and Margaret Smith, his spous, daughter to James Smith in Rothiebirsben.

Att Aberdeen, the eight day of November, 1705, in presence of Robert Stuart, one of the baillies of Aberdeen.

The said day, compeared ane noble and potent Earle, Charles, Earle of Errol, Lord Hay and Slains, lord high constable of Scotland, ane noble and potent earle, William Earle of Marischal, hereditary marischal of Scotland, ane noble and potent lord, William Lord Forbes, and the honorable men after named, viz.:—Andrew Fraser of Kinmundie, shirreff deput of Aberdeen, Mr. Robert Paterson, commissar of Aberdeen and principal of the Marischal college and university of Aberdeen, and Alex^r Leslie, advocat in Aberdeen; who made oath and declared that James Stewart, merchant in , in the kingdome of Polland, who went from this to Dantzick in the moneth of , is lawfull son to Alex^r Stewart of North Colpnay, procreat betwixt him and Isobell Lesly, his spous; and that the said Alex^r Stewart wes lawfull son to the deceast Alex^r Stewart of North Colpnay, procreat betwixt him and umquhill Margaret Bruce, his spous; and that the said deceast Alex^r Stewart wes lawfull son to the deceast James Stewart of North Colpnay, procreat betwixt him and umquhill Margaret Anderson, his spous; and that the said Margaret Bruce wes lawfull daughter to the deceast John Bruce of Airth, procreat betwixt him and umquhill Margaret Elphinston, his spouse, lawfull daughter to the Lord Elphinston; and that the said Isobell Leslie wes lawfull daughter of the deceast John Leslie, baillie in Aberdeen, procreat betwixt him and umquhill Isobell Galloway, his spous, and that the said deceast John Leslie wes lawfull son to the deceast Sir Patrick Leslie of Eden, provost of Aberdeen, procreat betwixt him and umquhill Jean Leslie, his spous, lawfull daughter of Leslie, Laird of Balquhyn, and aunt to the now present Count Leslie and that the said Isobell Galloway wes lawfull daughter to the deceast John Galloway, merchant in Aberdeen, procreat betwixt him and umquhill Helen Stewart, his spous, lawfull daughter to Alex^r Stewart of North Colpnay; all which premissis the fore named persones deponed to be of truth.

MISSIVES

TO THE

PROVOST, BAILLIES, AND COUNCIL,

OF THE

BURGH OF ABERDEEN.

1594–1688

MISSIVES

TO THE

PROVOST, BAILLIES, AND COUNCIL

OF THE

BURGH OF ABERDEEN.

I.—*From King James VI.*

Traist freindis, we greit you hartlie wele: Being with ane army in theys pairtes according to our proclamatioun, we haue messingeres to desyre you that ye faill not to caus be maid reddy and prepairit all kyndis of prouisions and viueris necessar for the interteanement of ws and our army, as ye will do ws speciall gude plesour and seruice, and sicklyk that ye mak ludging reddy for our awin ressait and remaining. Sna we commit you to God, from Halyruidhous, the xxviij day of September, 1594.

JAMES R.

II.—*Order of the Privy Council.*

Apud Abirdene xxiij die mensis Octobris
anno Domini jaj v^c^ lxxxx iiij

The quhilk day, the Kingis Maiestie and lordis of his secreit counsale hes concludit and resoluit that the capitanis and commandaris of his

Maiesteis horsemen and futemen salbe answerable to the inhabitantis of the burgh of Abirdene, for payment to thame of the ordinar chargeis and expenssis of the personis vndir thair charge, and that the same capitanis sall caus the said payment be maid to the saidis inhabitantis of the same ordinar chargeis, according to the pryceis sett doun be a proclamatioun maid thairanent, and that befoir thair depairtur furth of this burgh of Abirdene. Extractum de libro actorum secreti consilij Supremi Domini nostri Regis per me Joannem Andro clericum deputatum eiusdem sub meis signo et subscriptione manualibus.

JOANNES ANDRO.

III.—*From Sir John Skene.*

Richt traist freindis, eftir my hairtlie commendationis, I ressauit your lettir, and, aggreable to the desyr thairof, hes causit end your comptis for the yeiris preceding according to vse and wount, fyve pund alwayes exceptit for the Bischop of Orknay; as for the mailes of the Martimes terme fourscoir fyftene and Witsonday fourscoir sextene yeires, ye sall retene the same in your handes, ay and quhill ye obtene suspensioun and gett decisioun thairof befoir the chekker, ffor thair is ane ordour presentlie to be tane anent the pament of his Maiesties rentis; and it will be perrillous to mak pament to ony pentionaris of ony pairt thairof, quhill sum substantious ordour and overtuir be maid be the chekker and speceall commission gevin to yow to that effect. Thair is na plesour quhilk I can do yow lesumlie, bot I sall do it eftir my power, as ane conburges of your towne, ffor I am burges in na burgh bot in your burgh alanerlie and of Fafer. As I may I sall keip my aith and promis. It is not necessair to write to James Dauidsoun, seing your comptis ar hard and allowit, quhilk is ane sufficient warrand to him to stay, and lett him see this my lettir, quhairby I desyr him to do the samyn. Sa commitis yow to God. Of Edinburgh, the xij of Januar, 1595.

Your guid freind and brothir,

Mr. JOHN SKENE.

To the rycht honorable my speciall guid freindis the prouest and baillies of the burgh of Abirdene.

IV.—*Petition to the Lords of Privy Council.*

Souerane Lord, vnto your Maiestie and lordis of secreit counsall humelie menis and shewis, we your seruitouris the prouest, baillies, and counsale, communitie, and inhabitants of Abirdene, that quhair at your Maiesties last being in Abirdene we fand cautioun and band our sellfis, be your Maiesties directioun, ffor the non ressett, supple, and intercommvning with the Erll of Huntley, and vtheris culpable of the practizeis obiectit aganis him for the tyme, vndir a certane pecuniall pane mentionat in the act and band maid thairupoun; and now the said Erll being returnit within this realme, and in conference with the presbiterie of Abirdene, quhilk is kepit within our burgh, for his reconsiliatioun to the kirk, we, for feir of incurring of your Maiesteis wraith, and endangering our selff in the penaltie of the said band, dar na ressett him within oure burgh, and hes alreddy refuised to grant him ony ressett or supplee within the same, quhairthrow not onlie may he imputt and lay the blame vpoun ws of quhatsumeuir hinder he sall ressaue in this his humiliatioun and sute to the kirk, bot alsua quhatsumeuir inconuenienc sall follow thairvpoun may be layed to our charge; and seing it is luiked for be all men that the said Erll sall conforme him selff to all things quhilk salbe requirit of him, and sall obtene him selff relaxt fra the sentence of excommunicatioun, we maist humelie beseik your Maiestie and lordis to giff command to Johnne Andro to deleit fuirth of the buikis of secreit counsall the band subscryuit be ws ffor the non ressett, supplee, and intercommvning with the said Erll, quhairthrow the same haue na force nor effect heirfrae. Quhairanent thir presentis salbe vnto him a warrant, and your ansuer humelie I request.

V.—*License of Privy Council anent the Earl of Huntly.*

Apud Haliruidhous tertio die mensis Februarij anno Domini lxxxx vj°.

The Kingis Maiestie, with aduise of the lordis of his secreit counsall, in respect of the apperance of the conformitie of the Erll of Huntlie to

the satisfactioun of the kirk, according to the lait articles set doun be his hienes and his counsall thairanent, grantis licence and libertie to the said Erll to resort to the burgh of Abirdene to that effect. As alsua, to the prouest, baillies, counsall, and communitie of the same burgh to resset, supple, and intercommoun with him als oft as thay pleis, or as the necessitie sall require, vnto the fyftene day of Apryle nixtocum, nochtwithstanding the act within writtin, or ony vtheris actis, statutis, or proclamationis maid in the contrair quhairanent, and panis contenit thairin, his hienes dispensis be thir presentis, declaring, be the same presentis that the saidis prouest, baillies, counsall, and communitie, nor thair cautionaris, sall not be callit, qweiralit, nor accusit thairfoir be ony maner of way, exonering thame, be thir presentis, of all pane and dangeare that may be imput to thame thairthrow for euir.

JAMES R

J. Lindesay, secretarius.

VI.—*From George, first Marquis of Huntly.*

Rycht traist frendis, etter our hertlie commendationis, onderstanding, be our rycht traist cousing the laird of Clunj, that, wpon sum notable vrangis committit be yow aganis him, he estemis him self far behind and preingit of his honour, he thinkis he may be repairit. Alwais, quhowsoun this mater com to our intelligens, we haif villit him to lay his former intentions in suspens to the tyme we tryit that mater. Seing of guid vil and dewtie we respect to yow and your townschip, we will be weray miscontent to sie ony our spetial frends entter in contradictione with yow. Quhairfor, wpone your anssur and aduerteisment, we vil be mediatour, and tak sik stand in that matter, that na greittar inconveniens intervein. as we haif dealt with our said cousing, that matteris contenew to our resait of your ansur and nixt resollutione to be tane thairinto. Sua. resting thairto, we maist hertlie commit yow al in God's protectione, at Newtowne this saxt December, 1599 yeris. The rest of this purpois we

remit to the credit of the berair, Thome Gordone of Boigis, [comitting yow to Godis protectioun. Att Knokespak the iij of December, 1599.

Youris assurit guid freind,

HUNTLYE.][a]

To our richt traist frendis the prowest, balyeis, and consall of Abirden, Delywer thes.

VII.—*From King James VI.*

James R.,—Trusty freindis, we great you hertlie wele. We haue vnderstand of your great affectioun to behaue yourselffis as obedient subjectis, your joy of our coronatioun, and discoverie of the vnnaturall practises excogitat aganis ws, ffor the quhilk we can not bot rander you most hertlie thankis. And as we did euir repute the estate of burrowes ane speciall power of our estate, and you as ane of the best sort of thame, verray willing to the advancement of all our effaires, we mon now, (quhill as we ar absent in persoun, albeit in spirite and affectioun present with you, wisheing all the guid meanis vnto you might rayss your hoipis and amend your fortunes) recommend vnto you the cair of the commounwelth, quhairof you ar memberis, and your awin particular estate, that the inconveniencie you may susteane be our absence may be repairit be your industrie and greater diligence in seiking and following furth all lauchfull treadis, that be the example of vther weill governit commounwelthis may help or enriche you; and quhat help or furtherance ye will crave fra this estate, it sall not be inlaiking; and becaus obedience to justice is ane of the best meanis to bread quietnes, wee recommend vnto you that honorable cair ye aucht to haue of all thame quhom we haue established in any pouer, sie thair directionis put in executioun as our will, put vp your suittis and peticionis vnto thame quhom we haue directed cairfully to luik vpoun all thingis, may procure peace, welth, and guid ordour, and may keep all sort of personis fra wrong or oppressioun. Thus, not doutting of your goode dispositioun towards our seruice, we

[a] [The words within brackets are in the hand-writing of the Marquis, who seems to have been in error as to the last date.]

bid you fairwell, from our honnour of Hamptoun, this viijth of August. 1603.

To our right trusty and welbeloued the prouest, baillies, and counsell of our brughe of Aberdene.

VIII.—*From King James VI.*

James R.,—Trustie and weilbeloued, we greitt you weill. It is certified vnto ws that, in this last generall assemblye keipt at Linlithgow, tuo of your bailleis, to witt, Mr. Thomas Meinzies and Mr. Richart Irwing, suld haif bein dilaited as oppin awowed professouris of papistrie, whereat we can nocht bot muche marvell that so small regairde hes bein had in the electioun of your magistrattis, as to committ any pairt of the governament to these whois dispositioun that way in religioun may iustlye mak thame suspect enemyes to the staite; and, therefoir, as we can nocht bot iustlye find fault with this so gross ane oversight, assuireing you that if we do find any of the lyeke qualitye, we will depryve you of all forder electioun, and asswime to our selfis the nominatioun of your magistratis; so we ar to will you, that, in this ensewing electioun at Michaelmes, you wilbe cairefull that none any way suspect in religioun be putt in lyittes to any plaice of magistracye within that your burgh, as you will answer the contrarye at your perrill. And so we bid you fairweill from our court at Hampton, the xxith of September. 1608.

To our trusty and welbeloued the prouest, baillifles, and counsell of our borough of Aberdene.

IX.—*From Alexander, Earl of Dunfermline.*

Rycht honorable freind, my hairtliest commendatiouns premitted

The birar, George Bruce, your nightbour, haifing schawin me that now amongs the rest of tanners, saidlers, and barkers of lether

within the burrows of this kingdome, quhen summoundis war gewin to these within your burght to appeir before the lordes of his Maiesteis counsall, the rest of his nightbouris and brethren of that treadde imployed and requeisted him, as commissionar for thame, and in thair naymes, to come southe heir and attend vpon the counsall, to be readye to giff his adwyse for the weill of the bussines, as it should be demandit off him. Whair heawing most cairfullye attendit, ffearing now at his returne (seing maters ar not to be done for thair contentment) that his saidis nightbouris, wha desyred him to come ouer heir, may postpone him in repayment of the charges and expenssis sustenit be him in that bussines, and soe force him to raise summoundis for that effect before the counsall, I haiffe taken occasione by theese to intreate yow, giff he sall mein himselffe vnto yow of his brethrene and nightbouris their hard dealying withe him, that ye may mowe thame to doe him reasoun, latting thame knaw it shall not be best that thai putt the honest mann to sute the same be extremitie, whiche, giff thai doe, may turne to thair gritter charges. Bot hoping, be your credeitt, ye may satle these questiouns amongis thame, I wische yow all happines, and restis,

Your assured good freind, to be commandit,

From Edenburght, 6th December, 1619. DUNFERMELYNG.

Ye may assuirdlye persuade theese of this honest mann's craft, saidlers, and all that hes enteres in the foirsaid bussines, that if be your sicht thai tak not ordour with him, it will coast thame far more if he be forced to summound thame heir.

To my honnorable good freind Sir Thomas Menzeis, prowest of Abirdeene, &c.

X.—*From Alexander, Earl of Dunfermline.*

Rycht honorable freindis, all hairtliest commendatiouns premitted,—I houpe ye will not refuse me a suitte I am to mak yow in fauouris of the berar, my cousing, James Setoun, to be burgeous of your good toun, whome as I hawe commandit to be deutifull and obedient to yow in all respectes, sua will I acknowlege what fauour he shall fynd of yow for

my respect as done to myselfe, and shall rest thankfull thairfore, as ye may haife adoe to imploye me. Sua, for the present wischeing vnto yow all happines, I rest for ewir,

Your assured good freind, alwayis at command,

From Edinburgh, 28th Januarij, 1622. DUNFERMELYNE.

To my honnorable and assured good freinds, the prouest, and baillyeis, and counsall off Aberdeene.

6th February, 1622.

The counsall, all in ane voce, grantis to this request, finding cautioun for his gude behaviour, residence, and taxatiounis.

XI.—*From General David Leslie.*

Much honored freinds,—I receaued your letter by the bearer concerning the removing of those companyes quartered in your town, and as I am very sensible of the burthen yow haue susteaned, so shall I be carefull to affoord yow all the ease that can be, and sie yow duely payed for what entertainment they haue receaued since the tenth of March, which wes the day appointed for the rendezvous of the army. And as for the recreuts of Colonell Campbell's regiment, they shall lykewyse furthwith be removed; and what may further satisfy your desyres shall be hartily endeavoured by,

Your louing freind and seruant,

Lesmoir, 27th March, 1647. DAVID LESLIE.

For his much honored freinds the baillies of Aberdeen.

XII.—*From Provost Alexander Jaffray.*

Right honorable,—As I wreat to yow from Edinburgh befor my parting from that, hawinge onlie the night befor my partinge obteyned sum thinge

to be done in parlament, anent our petitione, I wold gladlie haue vosad to haue steyed a day or two more to hawe gotten our acte rightlie framed, and the precept from the comissioner for keeping in your awen hand, from the 1st of February, yowr exceyis and manteinance, till ye war payed of 1000lb. sterlinge; for, albeiet the delaywerance on owr bill does not carie this muche in direct termes (whilk was eschewed for fear of vther browghes to mak a preparatiwe therof), yet this was, in feace of parliament, condiscended on betwixt the comissioner and me. Not being abell to stey myselfe, I left informatione withe my brothers for dowinge of this, whilk I dowbt not but or nowe is cum to your handes. Onlie this, whilk I forgote to wreat from Edinburgh (and as I knowe the acte will carie it), the exceyis and manteinance most be collected as formerlie, and accresse to mak wpe a pairt of the monies ye ar resting to the mortificationes; for if it head not beine in that considerationc, I dowt if I could haue obteyned anie swche thinge, ether for reteninge present exceyis and manteinance, or byegane manteinance dischearged: all whilk is to be, efter cowntinge of it, allowed to ws in pairt of our borowed monies. I sall say no more of yowr affaires ther, but, God wolling, at meittinge, sall labowre to giwe a more fulle acownt. If D. Fraser be heir, I sall doe withe him what I can. As for Mr. Narne, ye hawing alredie receawed ane order for peyment of what was resting be Sr Ja. Fraser, and for what was restinge by himselfe, I was dowing my best to hawe setled sum way of persewte of his aires befor the comissaris of St. Androwse, and at my parting left word withe my brother to cum that way home, and doe sumthinge in it mor then I, for the tyme, cowld get done. [

] intendes to be at the Hage this night. What speeid we will cum ther I cannot tell, but, as occasione offers, ye sall be adwerteised by

Yowr serwant at command,

Delph., 24th March, 1649. AL. JAFFRAY.

This letter hawing steyed by me longer then I expected, we hawe sense beine sewerall tymes present withe the Kinge. Swm of owr wicked cowntrey men and of his Englishe cownsall ar onlie for his going to Irland, becaws they hawe not hoape to get libertie to cum vith him to Scotland, yit we want not our awen friendes heir. The Prince of Orange, the Princes royall, and Esteates generall ar for ws. We hawe interchinged sewerall peapirs withe the King, and ar this night or the morow

to giwe in a peapir contening the swbstance of our desires. What will cum of it I cannot tell; but all that ether laws, King, or kingdomes hes much reasone to be ernest withe God, for marcie to them, for his contrawersie semes not yet to be neir ane end. Ye sall be forder adwertisad as occasione offers. I hawe met withe D. Fraser, but have not yet head oportwnitie so fittlie to spek to him, but, or we pairt, I sall labowr to doe withe him what may be done heir.

From the Hage, 2-12th Apryle, 1649.

XIII.—*From Provost Alexander Jaffray.*

Right honorable,—This is my second to yow sense my being heir. We ar now schortlie to pairt from this, and intendes, Godwollinge, betor the 10th of this monethe, to be in Scotland. I am informed by my brother from Edinburgh that the passinge of yowr act met withe sum deficwltie efter my pertinge, but if it be not or now past, my adwyse wold be that Mr. Wiliam Moir (seing he is on of the committe of esteat) head bein sent ower, qvhilk I sowld hawe wrettine schoner, but it sliped my memorie, who I think might hawe exped your busines, whilk I wold wolling haue done if we head steyed a day or two longer. If ye think good to send him or anie other ye please they may exped yowr busines, as also serwe for keeping the next dyet of parlament; and if it please the Lord I come ther in tyme, I sall werey wollinglie conewre withe them to the wtermost of my powre for your service. I hawe spoken withe D. Fraser. He aledges that ther was newer ane condecione conclwded betwixt him and the magistrates then in pleace, and so expectes that the anwell of that swm, resting to the colidge, will fall to him, whilk I think hes bene his purpose so to frame it. I sall striwe befor my parting to bring the bwssines to the best poynt I can. He is not now in ceasse to pey debtes but on way of compositione. I know no other parteewlar I can be serwicabell to yow heir, but wharawer I sall be, sall be most wolling, according to my powre, to aprowe myselfe,

Yowr serwant at command,

From the Hag, Mey 3-13, 1649. AL. JAFFRAY.

For the right honorable the prowost, baillies, and counsall of Aberdeen.

We haue not head that sweesse in owr imployment heir withe the King that we wold wossed, by reasone of awill counsall that ar abowt him. He is schortlie to goe for France to meit withe his mother. Till then he will not resolwe what to doe. I heir ther is sum troubles amonge yow pretending for his serwice, but I wowld they ar not his frindes, and he hes publicklie to ws discleamed anie powr or commissione from him to them, or that he will giwe anie swche powr other by sea or land aganast Scotland. I heartellie wosse that anie that lowes religione, the Kinge, or ther owen good, keepe themselwes free of anie accessione, or giwing cowntinance to swche wnhape men. I trwst I sall not neeid to desire yow to be cairefulle that nothinge of this kynd esceape anie of our night-boures; but, on the contrarie, that they schowe themselwes wolling in ewrie thing to the cowntreys serwice. This vas promisad librallie by me in ther neames; and I know they sall newer repent it. On Doreslaws sent heir from England to corespond betwixt that parlament and the esteates heir, and to mak way for ane embasadrie from them was (for his being accessorie to the leat Kinges deathe) yesternight, in his lwdging killed. It is not knowen by whome, but that they war Englichemen. The peace in France is not sewre, neew trwbles reysinge ther againe.

XIV.—*From Bailie John Jaffray.*

Rycht honorable,—I cam heir vpoun Twysday at night, and heiring that my brother was in the firth, lyeing at the back of the Maij, and onlie be contrarie windes, quhilk war vere gryt heir, they could not win vp, this maid me not to go in to the parlament till Thursday, at the foore noones sessione, and I haid not gone then nather, give I haid not bein forcit to get ane act annullit quhilk was maid to your vere gryt preiudice. It was done befoir I cam over the watter. The act was ordaineing Collonell Forbes reigment to quarter in the towne of Ald [Aberdeen], and your awin mantenance allowit to pay them, by quhilk meanes the poore towne, considering the caice they ar in, vold haue bein rwined, and your sex thowsand pund formerlie grantit takin from you. I never hard of this till Vedinsday at supper, that young Leslie told me that the act was to be ordainet the morrow therefter, to be revisit and printed. Then I tuick

occasione to go and solist, haueing delyuert all the letters ye sent with me to Argyle, Warrestoun, and the Provost of Edinburgh, immediatlie efter I cam. I dealt earnestlie with that thrie, and they war our speciall freindis; and efter I haid schawein the caice of the towne and countrie, and quhow our mantenance was disponit vpoun alreddy, they reassoned to liberat ws. At last the Parlament war content they sould onlie haue ther locall quarters in the towne, and sould have ther pay from the schyre out of your mantenance. I haid no will of this nather, for I wold haue expectit evill payment; allwayes, being referred till the efternoone, I got the towne and friedome absolutlie fred from quartering, and an ample act in our favoris, quhilk ye sall haue with the nixt; but, for the schyre, ther was no help for it, at least I could get nothing done. So the foott ar ordainet to be quartered on the schyres of Aberdeen and Banff, and towne of Banff, and ther mantenance allowit to them for intertinement of the toott and four troupes of hors, tuo old and the tuo new, that ar ordainet to be quartered ther. Ther is not ane schyre or brugh in Scotland trie but Aberdeen. As for Walter Melvill's suspentione, I can do nothing in it except I haid informatione, for I know nothing of it; therfoir, blame me not give it miscarrie, for the sessione sittis downe this day, and, I assure yow, will sitt constantlie dureing the ordinar tyme; and, for that caus, the parlament sittis onlie in the efternoone, and the sessione in the foore noone. This was ordainet yesterday be act of parlament. As for the suspensions of the Lord Frasersbrugh, I am cawseing look out the warrandes, but I fear sall not be gottin in haist; therfoir, look them in your charter kist, and send over suche wreattis as ye haue to instruct them. Ye know better nor any can do heir quhat may instruct them best; allwayes, quhidder ye know perfytlie or not, send suche thinges as ye think will instruct them, and quhat we want I sall wreat for. As for your excyse, I ressaue ane letter quhilk was cumeing to yow from the committie therof. I sall do my best in that, and also in your excyse of vyne, quhilk is yit frie. As for W^m^ Bartan, I dar not speak any moir for his trieblome, in respect ther is sum moir to lay to his chairge, quhilk I dar not wreat of till the parlament wreat to yow. As for Andro Crichtoun, collectour generall of the customes, he is in ane gryt anger that he gettis not contentment, and will not behold it long, I assure yow; therfoir, be at a poynt with the Earle Marschall. I ressaue your letters of horning aganes the stenters and towne being stentit, quhilk, with gryt difficultie,

I have obtenit. The difficultie was this: they wold not grant letters aganest the towne till the stent sould be gevin out vnder the stenters' hand; yit, at last, I obtenit them. As for newes, no word of our commissioneris as yit, but ar daylie expectit; a letter cam from Ingland yesterday, and will mak bussines in a schort tyme. I could not yit haue the copie of it, but sall stryve to send it north. I haue writtin a littill of the substance of the letter to Baillie Moir. This is all I haue for the present; with the nixt I sall stryve to give yow ane acconnt of my procedinges, and of the thinges committit to me. I rest,

Youris seruant,

Edinburgh, 1st of Junij, 1649. J. JAFFRAY.

I sall wische that ye lett not the committie of the schyre know that the foott ar to be quartered on them, nor yit the towne nor schyre of Banff; for give ther commissioneris haid bein heir, as they war not (except Leslie), I haid fund moir difficultie; therfoir, give Leslie wreat not to them, ye may misken ye haue hard of it.

To the rycht honorable the provost, baillies, and counsell of Aberdeen.

XV.—*From General Monck.*

Whereas I am informed that divers persons within this nacon haue of late gone about to ensnare men's consciences, by inforceing of oathes and covenants vpon them, these are therfor to lett all knowe that what person soever shall tender any oath or covenant vnto any one, or who ever shall take or enter into any oath or covenant, without order from the comon wealth of England, both the tenderer and the taker of such oathes or covenants shalbe holden as enemyes to the comon wealth aforesayd, and dealt with all accordingly. Alsoe, the 'prouist of Aberdeene is herehy strictly required to see this proclaymed and published in the citty of Aberdeene, as he will answeare the contrary att his perill. Giuen vnder my hand at Dundee, this 7th of October, 1651.

GEORGE MONCK.

To the provist of Aberdeen, or, [in] his absence, to the bailiffs of the sayd citty:—These.

Vpone the tuentie-tua day of October, being ane publict mercat day, betuixt elewin and tuelff houris in the foirnoone, jaj vj^c^ and fyiftie-ane zeiris, I, John Mowat, messenger, be virtue of the within wreittin warrand, of the dait, at Dundie, the sewint day of October, 1651 zeiris, past to the mercat croce of Aberdene, and ther, at command of the bealleis of the said ceittie, be oppine proclamatioune and publict reiding of the said warrand, I maid dew and laufull intimatioune to all personeis quhatsoewer that sall tender any oath or covinant wnto any one, or quhoewer sall tack or enter into any oath or covinant without ordour from the commoun vealth of England, both the tenderer and taker of such oathis and covinantis salbe hauldin as enemeis to the commoun vealth afoirsaid, and delt withall accordinglie. This I did, conforme to the within wreittin warrand, and according therto in all poyntis, befoir thir witnesses: Maister James Sandilandis, toun clerk of Aberdene, and Alexander Bruice, wreatter ther; and, for the mair verificatioune heiroff, thir presentis are subscribit with my hand.

J. Mowat. Messinger.

XVI.—*From General Monck.*

Gentlemen,—Haveing a call from God and his people to march into England, to assert and maintaine the liberties and being of parliaments, our antient constitutions, and therein the freedome and rights of the people of these three nations, from arbitrary and tiranicall vsurpations vpon their consciences, persons, and estates, and for a godly ministery, I doe therefore expect from you, the magistrats of the burgh of Aberdene, that you doe preserve the peace of the commonwealth in your burgh; and I doe heereby authorize you to suppresse all tumults, stirrings, and vnlawfull assemblies, and that you hold noe correspondency with any of Charles Stewart's party or his adherents, but apprehend any such as shall make any disturbance, and send them into the next garrison; and doe further desire you to countenance and encourage the Godly ministery and all that truely feare God in the land, and that you continue faithfull to owne and assert the interest of the parliamentary governement in your seuerall places and stations. I hope my absence wilbee very short, but I doe assure you that I shall procure from

the parliament whatever may bee for the good governement and releife of this nation, and doubt not but to obtaine abatements in your assesse, and other publique burthens, according to the proportion of England; and what further service I may be able, I shall not bee wanting in what may promote the happines and peace of this afflicted people. I shall not trouble you further, but begg your prayers, and desire you to assure yourselues that I am,

Your faithfull freind and humble servant,

Edinburgh, 15th November, 1659. GEORGE MONCK.

I desire you to send mee word to Barwick, vndour your hands, how farr you will comply with my desires, be the 12th of December next.

I desire you that what is behinde of the last fower moneths of the twelue moneths assesse may be in a readinesse against it is calld for.

For my very loving freinds the provost and bailiffs of Aberdene.

XVII.—*From James, second Marquis of Montrose.*

Right honourable,—Being informed by your commissioner and his ascessor that yee have, witht much solemnitie, reased that member of my fathers, which was erected in your cittie by the comand of some barbarous and disloyall persons pretending the authoretie of a parliament. I have urett this to returne you manie heartie thanks, and, withall, to assure you that I have a most reall recentment of that action, quherby ye have not onlie testefied your constant adherance to his Majesties service, bot also have, in a verie singular maner, wittnessed your respects to the memorie of him quho was your faithfull freind, and have lykvays putt a verie high obligation upon,

Your most affectioned friend and servant,

Edr., 30th March, 1661. MONTROSE.

I shall desyre ye will be plesed to deliver that member to the lairds of Morphie and Fintrie, or to anie having ther warrant, for I have writt to them theranent.

Ffor the right honourable the lord provest, balzies, and toune counsell off Abberdeine.

XVIII.—*From the Laird of Morphie.*

Morphie, the 9th of Apryll, 1661.

Right honorabill,—The Marquess of Montross hath writen to me of laite, showing that he hath sent yow a letter of thankes for the great respectes ye hawe wittnessed to him towardes the raising of that member of his fatheres that was erected in your towne, and that he hes desyred of yow that it may be delywered to the laird of Fentrie or my selfe, or to anie hawing our warrant, quhairfoir I hawe directed this bearer to yow for that effect, to whom ye will be pleased to cause delywer the samen. I hawe noe moir to adde for the tyme, sawe that I ame, and do subscrywe my selfe,

Yours verie humbill serwant,

A. Græme, of Morphie.

For the right honorabill the prowest. baillzies. and counsaill of Aberdeine:—Thess.

XIX. —*From John Earl of Middleton.*

[1661 ?]

Worthie freends,—Wee, knowing that your minister, Mr. Andrew Cant, hath for a tyme surceased from the exercise of his ministry among yow, because of his weaknes and many infirmities, incident to old age, and that now he is upon resolution to returne to your city to live and die among yow: These are therefore desiring yow to regard him as becometh a Christian magistracie, such an honest and painfull minister, who hath spent his strenthe among yow for these twenty years bygone in very difficile tymes, and to have him in esteim and love for his works' sake, and to look as favorablie upon the sun-setting as upon its rysing; and also desyres that though there be a cessation from discharging his former office, through age and inabilitie, yet that he may injoy his old manteinance for his short tyme, which will be your credit both before

God and men. This we doe expect, and that he shal have no just cause to complaine.

Your affectionat freend,

MIDDLETON.

Ffor his worthie freinds the magistrats and councell off Aberdeine :— These.

XX.—*From George eighth Earl Marischal.*

Invervgie, 20th Februarij, 88.

My Lord Provest,—Being intendit (God willing) ones nixt moneth to fall a work for reparatione and finishing the bulwork at Stonhyve, and, as ye all know, being so convenient a port for saveing of ships, which, blessed be God, hes been severall times evidenced this winter, I am very sensible of the good will and kyndnes ye have already shown for promoteing this so good and necessary a work, and will earnestly intreat that ye will yet evidence it a litle more by ordering ane collection, which will be a ty on me in all your concernes to approve my selfe,

My Lord,

Your affectionat friend and humble Servant,

MARISCHALL.

I have ordered George M^cKenzie, collectour at Stonhyve, to come in and wait upon yow, and receave your commands.

For my lord provest and balyies off Aberdeen.

XXI.—*Order of Privy Council.*

His Majestie haveing, by his royall letter of the 4th current, recomendit to the lords of privie councill to ffind out a way for rassing a competent number of seamen for his Majesties service, being resolved that Scotsmen (if prisoners) shall be equally relieved with the English, and that

Scots trading ships shall have protections one board for preventing ther mens being pressed, wherfor the saids lords of his Majesties privy councill do requyre yow to causse beat drooms and make intimatione, upone the nixt mercat day efter this comes to your hands, for leaveing seamen within your jurisdictiones of the touns of Newburgh, Peiterheid, Crimand, Linmay, and Frazersburgh. And they grant warrand to and ordaine yow to promisse and pay ffourtie shillings sterling of leavie or advance money, and six pence a day to each seaman that shall list himselfe in ther Majesties service untill they shall be shipped aboard the fleett, and at quhich tyme they are to enter on English pay; and the councill gives assurance of your repayment of what yow shall advance to the seamen out of the excysse payable be your burgh, and how farr the samen falls short out of the excysse of the shyre, at terme of Whitsunday nixt. And they have granted ordor and warrand to allow the samen unto yow, and that such as shall affectionatly show ther forwardness one this occasione shall have assurance given them of obtaining parliamentar protectiones on board each one of ther ships, to be free from pressure by any of his Majesties men of warr or in any of his ports. And they lykwayes requyre yow to give in a report of what seamen ye have so taken on in the terms forsaid, with ane exact list of the haill seamen and fishermen within your bounds and tounes forsaid, betuixt and the tenth day of February next, that the councill may consider how farr the seamen to be furnished to his Majesties navy falls short, that soe the samen may be made up in a just proportione by lott out of the said other list of seamen, without any leavie or advance money to be given by his Majestie to thesse who shall be taken by lott, and who shall not voluntarly list themselvs; and the councill will take speciall cair that just and dew consideratione be hade of such touns quherin the seamen shall voluntarly list themselves, when the councill falls upone the other method above mentioned for effectwnating the said leavie. This, by warrand, and in name of the councill, is signified to yow by,

Your humble Servant,

Edinburgh, 10th January, 1690. CRAFURD.

For the magistrats of Aberdein.

J. Leslie.

For his Majesties service.

DOCUMENTS

RELATING TO

ORKNEY AND SHETLAND.

1438—1563.

DOCUMENTS

RELATING TO

ORKNEY AND SHETLAND.

I.—1438.

Attestation by the Lawman of Orkney.

Tyl all and syndrie lele folk in Cryste to quhais knawlage thir present letteris sal to cum, Henry Randell, lawman of Orknay, John Haldson, balze off Kirkwaw, and Jamis off Lask, greting in Gode, ay lestand Sene medeful and meritabill thing is to ber witness to the suthfastnes, and namly in the cass quhar the hyding off suthfastnes ma gaur scathe, schame, or prejudice til ane innocent man, fra theyne it is that we the forsaide certifiis and bers witness, and for the schawing of suthfastnes till zour [universities] maks kende that we the foirsaide bystude, saw, and onherde, and for witness wes tane, quhen that John off Erwyne and Will Bernardson swor on the hirdman stein befor our lorde the Erle off Orknay and the gentiless off the cuntre, that thai by stude, saw, and onherde, and for witness wes tane, quhen that Thomas Sincler, the son off quhilum Dauy Sincler, callit in the vestre in Sant Mawngus kirk John of Kirknes, than lawman off Orknay, befor syndrie gude men off the cuntre, and saide to the forsaid John off Kirknes that it wes demit in the cuntre that he the fornemit John saide that, agayne his will, he had selit the charteris off the xii penny lande off Tollop to the forsaide Thomas;

quharfor the forsaide Thomas profferit to the saide John his chartour, and the saide lande agayne, giff he the saide John walde giff til hym, the forsaide Thomas, the golde that he the saide Thomas geff for the charteris off hym the saide John. And than the fornemit John answered and saide playnly that it wes nocht agayne his will; and to the mar sikkerness off the saide lande to the saide Thomas, the said John hanselde the saide Thomas off the fornemit land, for the forsaide golde that the fornemyt Thomas craffit. And syne the saide Thomas handselde Wat Fresell off the saide lande, and the saide John confirmit it thar, and handselde the saide Wat of the fornemit land fra him the saide his ayrs, to the forsaide Thomas and Wat, bath as ane and ane as bath and al thar ayrs for euer mar, with al fredomis and profytis as the saide charter of the saide is; and thar atowr the saide John grantit him fullely payt and content for the forsaide land be the fornemit Thomas, the firste and the laste and all thar betwene. In witness of the quhilk things, we the forsaide has set our sel to thir present letteris at Kirkwaw, the xx day of the moneth of Januar, the zer off our Lorde M° cccc° xxxviij. zer.

II.—1465.

Confirmation by William, Bishop of Orkney and Shetland.

Be it kend till all men be thir present letters, we Williame, be the mercy off God, byschope off Orknay and Schetlande, till haiff seyn, reyde, and diligentli to haiff studyit ane letter of assidation and tak of thre penyland of Stanbust, witht the pertinents, maid to our seruande and man, Thome off Cowpland, be our predecessour of gude mynd, lorde bischop Thomas, nocht rayssit nather zeit schorin, nathar any part off it faulty, the forme off the quhilk fowluss in this maner: Be it kende till all men be thir present letters, we Thomas, be the mercy off God, bischope off Orknay and off Schetlande, till haif sett, and, be thir present letters, with the consent off our chaptair, fully setts till our luffit seruand and man, Thome Cowplande, for all the days off his liff, thre pennyland lyand in Stanbust, within the parochane of Sant Andross, witht all free-

domys, pertinents, and lauchfull commoditeyes, the saide Thome payand zherli till ws and our successoris, bischopis of Orknay, for the saide place, ane barale off butter and four of malt, batht for maill ande for tende, and to bryng it fre till our palace of Kyrkwaw; and we mak kende at the said Thome has payit us to gersome for the saide place and tak aucht mark of siluer, to the uphalde off Sant Magnus work, and to be disponit be the will off ws the forsaide lorde bischope Thomas. In the witness off the quhilk thing, we haiff sett our sele to thir present letters, togidder witht the seall off our chaptair, at Kirkwaw the xii day of Julii, the zher of Gode a M. cccc° fifty and fyiff zhers. And we the forsaid bischop Williame approvis, ratefies, ande fully confermys the tak and settyn, and writt, that our predecessor sett to our man, Thome off Cowplande, in all and sondry pointts, articulis, and circumstansis, in forme and effyit foresaid, we conferme be thir present letters. Gyffin onder our seell autentik, at Kirkwaw, the twenty day off the moneth of Marcht, the zher off God ane thowsand four hundretht sexty ande fyiff zhers.

III.—1467.

Provision of the Vicarage of Ronaldshay, in favour of Sir Thomas Williamson.

Villelmus Dei gracia episcopus Orkadensis et Schetlandie discreto viro domino Magno Nysbit seu cuicunque alteri capellano ydoneo curato seu non curato infra diocesem nostram diuina celebranti salutem cum benedictione diuina quia vicariam de Ronaldsay de jure et de facto vacantem per demissionem domini Ricardi Holande vltimi possessoris eiusdem ad nostram collacionem pleno jure spectantem discreto viro domino Thome Villelmi nostre diocesis capellano diuine caritatis intuitu contulimus et conferimus per presentes ac ipsum dominum Thomam Villelmi presentem et recipientem per annuli nostri tradicionem provincialis de eadem investiuimus Vobis igitur et vestrorum cuilibet in virtute sancte obediencie stricte percipiendo mandamus quatenus dictum Thomam Villelmi vel procuratorem suum pro eo ad hoc legittime constitutum in ipsius dicte vicarie realem actualem et corporalem possessionem inducatis et institua-

tis inductumque et institutum autoritate nostra canonice defendetis ac sibi de fructibus reditibus proventibus juribus et obuencionibus vniuersis dicte vicarie facientes integre responderi contradictores vero si qui forsan fuerint autoritate nostra per debitas censuras ecclesiasticas arcius compescendo et has litteras per vos debite executas earundem reddatis latori et vos qui presens mandatum nostrum executi fueritis in singnum executionis eiusdem per vos plenius facte sigillum vestrum post nostrum presentibus penes eundem dominum Thomam Villelmi perpetuo remansuris apponatis In quibus premissorum testimonium sigillum nostrum autenticum est appensum apud Tyngwell in Scetlandia tertio die mensis Junii anno domini m° cccc° sexagesimo septimo.

Et ego dominus Magnus Nesbit presbiter tanquam filius obedientie dictum dominum Thomam Willelmi induxi in realem corporalem et actualem possessionem dicte vicarie de Ronaldsay secundum formam suprascriptum in ecclesia parochiali eiusdem in signum cuius quia sigillum proprium non habui presens sigillum discreti viri domini Hectoris de Tullach canonici Orcadensis cum instancia procuravi dicto scripto appendi In festo sancte Anne anno domini &c. lxvij coram hiis testibus dominis Patricio Lange notario publico Karolo Cant Georgio Campbel presbiteris cum diuersis aliis.

IV. 1510.

Decreet of the Lawman of Schetland and Orkney.

Be it kend til al men be this present letters, me, Nychol Hawe, lawman off Schetlande and Orkna, for the tym, that thair comperit befor me and the wordiest in Orkna, upon the fursday in the lawting in Kyrkwall, Sir Wilzam Syncler of Warsatter, knycht, sytand for justice, Rychert Sincler, in the umbyf of Jhon Ademsone, one the tayn part, and Wilzam Flet, in his awyne umbyf, on the tother part, as anent the qui callit Hurre, liand in Sanct Andros parochyn: the quhilk land Sir Dauit Synclar, quhom God asoilze, had conquist fra the said Jhone, and gewyn him therfor four merk off land, lyand in myn, in Burray, in Schetland. And thir I, and xiii of the wordeast has dempt, that the said Wilzam and

Jhone sal compear both in Schetlande on the fest of all Hallomes next, efter the dait of this present writ; and, gyff the said Wilzam can mak the said lands of myn fre to the said Jhone, lik as the condition wes betwix Sir Dauid and the said Jhone, sua sal the said Wilzam bruk the place of Hurre; and, gif he apeirs not and freys not the land of myn to the said Jhone, sua sall the said Jhone and his bruther sone, laufull gottyn, enter to the said lands of Hurre, perpetuall for evyrmair, with all profets and ogan sen Sir Dauit deit. And becaus the said Wilzam aperit not to warrand the said lands off myn, as wess dempt, I, the said lawman, Thorald Hendarsone of Brocht hedfold of Schetland for the tym, Jhone of Quendall, lawrytman of Dunrosnes, Jhone of Strom Magnes, Bolt onderfold of Wawis, Brynzam Andersone, lawryitman of the samen, with others gud wordy men, gewis for dwym, and decreets that the said Jhone and his bruther sone sal gang pecabile to the lands of Hurre without ony impediment for evyrmair. In wytnes of the quhylk thing, I the said lawman and forsaid personis hef set to our selis to this present writ, at Tyngwell, the xxiii day off July, the yeir of God ane m. v^{c} and x zers.

V.—1516.

Decreet of the Lawting of Orkney.

Jhesus Maria.

One Weddinssday, in the lawtyng, in the zeyr of God ane thousand v^{c} and xvi zers, ane dwyme dempt at Kirkwall, befor ane nobill and potent man, Shir Wilzem Sincler of Wersetter, knycht, justice of Orkna for the tyme be ane sert. of worthy personis, that ar to say, James of Rendall, Mawniss of Crummatty, elder, Thomas Cragy, Andro Bell, Henry Fowbister, Adem Sclater, Dauid Loutit, Johne Sincler of Air, Jhone Norn, Robert Zorstone, Andro Linclet, yonger, Andro Paplay, Peter Papla, Alex^{r} Fryssell, Johne Elder of Zensta, Olay Zensta, Jhone Adamsone, Thome of Muyr, Wilzem of Fotheringham, and Patre Brandesone, with wthir diuerss, betwix Richert Sincler in the wmbuth of Jhone Scholte, one the ta part, and Wilzem Flet of Howbuster in his awin wmbuth, one the twther part, as tuching the airship of the qui of Hurre:

Thir guide men fyndis and gyffis for dwyme, at sen it is prowin that Shir Dauid Sincler, quhome God asolze, left and commandit at his deand day at the said Jhone Schalte suld be restorit to his awin qui of Hwrre. And sen it is prowin at my Lord Sincler, quhome God asolze, at deit in Flodown, passit to Zetland in the instant zeyr of the said Shir Dauids dissess, the said lord tuik fra the said Jhone Schalte ane qui in Zetland at Shir Dauid had gein to him for his qui of Hurre, quhilk wes the Kings land, the said lord commandit the said Jhone Schalte to pass to Orkna to his awin qui of Hurre, and zet is stopit be the said Wilzem Flet. And now the said Jhone hes schawin the King's grace letterss, and the said lords to haif justice and rycht of his awin, we, the said dwymiss men haiffand God befoir ein, has gyffin for dwyme, at the justice within 6 dayis sall derak his deppitts, and sall possess the said Jhone Schaltie in the said qui of Hwrre; and thairefter to bruk the samyn as maist rychteous air therto; and for the byrown mailis, at the partyis sal be as dempt men one Alhallowewin, and tak as law will. And for the mayr sykkyrnes the said dwmissmen hes procwrrit the seylle of Thomas Tulloch of Nes, for tham to be affyxit to this present dwyme.

VI.—1563.

Missive from Mary Queen of Scots, to Torquill M'Leod.

Torquill M'Cloyd we grete you wele. We ar informit that sum of the Ilis ar desirous to haue you allyat to thame be mareage; and becaus ye have that honor to be of the Stewarth blude, we thocht expedient to gif you aduertisment that it is our will and pleshour that ye allyat your self to na party in mareage without our advyss; and quhill we declair our opinioun and mynd to your self thairin. Subscriuit with our hand, at Inuerary, the xxiii of July, 1563.

Marie R.

STATUTA ET LEGES LUDI

LITERARII

GRAMMATICORUM ABERDONENSIUM.

1553.

STATVTA ET LEGES LVDI LITERARII GRAMMATICORUM ABERDONENSIUM.

In primis, puer ingressus scholas prosternat se humi, genibus flexis salutet Christum, optimum, maximum, humani generis authorem, et Deiparam virginem breui precatiuncula, hoc modo :

Gratias tibi pater cælestis ago, quod præteritam noctem mihi volueris esse prosperam : precorque vt diem itidem hunc mihi bene fortunes, ad tuam gloriam et animæ meæ salutem : et tu qui es vera lux, occasum nesciens, sol æternus, omnia viuificans, alens, exhilarans, digneris illucescere menti meæ, ne vsquam in vllum impingam peccatum, sed ductu tuo perueniam ad vitam æternam. Amen.

Jesu esto mihi Jesus, et spiritu principali confirma me.

Septima lucis hora, incipiat Pars, qua absoluta, ingrediatur præceptor, castiget aut verbo aut verberibus delinquentes : castigatione facta, fiat omnium lectionum prælectio publica, per præceptorem ipsum, hora lucis octaua. Prælectione absoluta, ientatum festinent pueri. Priuata hypodidascalorum prælectio, in singulis suis classibus sit hora lucis decima : vndecima vero, aut sesquiundecima, sit copia egenis condiscipulis eundi in vrbem, itidem oppidanis paulo post, si qui sint.

Secunda archididascali prælectio Terentij, Virgilij, aut Ciceronis, sit sesquiundecima iis qui adesse debent. Denique vbi sonuerit hora meridiana pueris prandendi fiat potestas.

Statuta pomeridiana.

Ante horam pomeridianam secundam, sint singuli præsto in ludo literario ad audiendas classium prælectiones.

Semper vnus hypodidascalorum per vices præsto sit in gymnasio, qui notet errores, Latini sermonis ineptias, et minus iusto studiis incumbentes. Viderint etiam ipsi, ne quod alios facientes ex officio reprehendere debent, ipsi committant.

Lucis vero pomeridiana quarta, post campanæ sonum recenseant pueri suis instructoribus pensum illius diei.

Exeant bini ad naturæ officia cum signo aut baculo : licitum non erit cuiquam exire, nisi coacto, ante reditum eorum quibus eundi copia facta fuit

Gymnasiarcha ipse, vnam aut alteram audiet classem præter suam supremam, cum sibi sedeat animo.

Disputationes vesperi a quinta ad sextam noctis horam fiant; qua cognita Deo Opt. Max. preces canere festinent.

Pythagoricum vnius anni silentium elementariis ac neophytis sit iniunctum.

Confessionis tabulam ediscant.

Numerandi artem modice prælibent.

Loquantur omnes Latinè Græcè Hebraicè Gallicè Hybernicè, nunquam vernaculè, saltem cum his qui Latine nouerunt.

Singuli singulas gestent ferulas.

Familia extraneis sit interdicta.

Nullus de grege Grammaticorum cum Dialectico agat.

Leges.

Non licebit commutare, nec rem alienam emere, nec propriam alienare, inconsulto archididascalo, aut eius suffraganeo.

Ne ludas sponsione libri, aut pecuniæ, seu vestium, aut prandij ; sed pro deposito, certent saltem prouectiores coriaceis ligaturis vel aciculis.

Ne ludus aleæ sit vetamus ; aleæ lucro gaudebunt pauperes.
A conspectu hypodidascalorum ludere non licebit.

Leges animaduersionis.

Nullus alteri faciet inuriam verbo nec opere, quam si læsus ferat modestè conquerendo, offendens puniatur. At si contendendo sese mutuis iurgiis altercationibusque commouerint, vterque pœnas luat. At qui pro verbis dat verbera, solus verberator det pœnas. Si qui autem ætate prouectiores, peccando in præmissis, delinquendi occasionem iunioribus dederint, duplici pœna mulctentur, quia peccant et aliis peccandi ansam dant, quibus alioqui animus peccandi non fuit.

Ili castigandi veniunt.

Non audientes dicto. Serò matutina luce gymnasium ingredientes. Nescientes dicere Partem, cum lectionis textu. Mouentes citra necessitatem de loco in locum. Discurrentes. Colloquium tempore prælectionum tenentes. Serò redeuntes a ientaculo et prandio. Moram trahentes in naturæ officio. Vernaculè loquentes. Absentes diu ab auditorio. Authores mali.

Quum neminem leges ignorare oporteat, hæc nostræ scholæ statuta excudenda curauimus, quo illorum certior sit cognitio, et paratior probatio : et vt qui sub nostra ferula militant, eo officiosiores nomophylaces esse velint, quo sunt hæ nomothetæ iam typis excusæ per nos singulis factæ notiores, quàm vt earum ignorantiam possint prætexere.

Officium discipulorum ex Quintiliano.

Discipuli præceptorem suum non minus quam ipsa studia ament : et parentem esse non quidem corporum sed mentium credant : in ipsos cœtus scholarum læti et alacres conueniant : emendati non irascantur : laudati gaudeant : vt sint charissimi, studio promereantur ; nam vt illorum officium est docere, sic horum præbere se dociles : alioqui neutrum sine altero sufficit.

Officium adolescentis ex Cicerone.

Est adolescentis maiores natu vereri, ex hisque eligere optimos et probatissimos, quorum consilio atque authoritate nitatur: ineuntis enim ætatis inscitia, senum constituenda et regenda prudentiâ est. Maxime autem hæc ætas a libidinibus arcenda est, exercendaque in labore patientiaque et animi et corporis, vt eorum et in bellicis et ciuilibus officiis vigeat industria. Atque etiam quum relaxare animos et dare se iucunditati volent, caueant intemperantiam, meminerint verecundiæ: quod erit facilius, si huiusmodi quoque rebus maiores natu interesse velint. Adolescentum ætas prona est ad peccandum; et nisi maiorum exemplis authoritateque contineatur, facile semper in deteriora prolabitur. Adolescentia enim libidinibus æstuat, ætas media iactatur ambitione, senectus cupiditate anaritiaque consumitur.

Officium adolescentis ex Terentio.

Nouitius tyro in militiam literariam ascriptus, has quinque Pamphili conditiones sibi procuret. Prima, facile perferre ac pati eos debet, cum quibus versatur. Secunda, vnà cum his sese dedat. Tertia, eorum studiis obsequatur. Quarta, sit aduersus nemini. Quinta, nunquam præponat se aliis, nam quo sublimior fuerit, eo submissius se gerat. Ita viuendo, facillime sine inuidia laudem inueniet, et amicos parabit.

Hoc Fac Et Vives.

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